



**REGULAR MEETING OF THE COMMON COUNCIL
MIDDLETOWN CONNECTICUT
JULY 6, 2015**

The regular meeting of the Common Council of the City of Middletown was held in the Council Chamber of the Municipal Building on Monday, July 7, 2015 at 7 p.m.

Present

Mayor Daniel T. Drew, Corporation Counsel Daniel B. Ryan, Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer

Absent

Councilman James Streeto

Also Present

50 members of the public

1. Mayor calls meeting to order at 7 p.m.

A. (Pledge of Allegiance)

Before we begin I just wanted to take a moment; last night there was a tremendous tragedy in our community. Expressions of support for the victim and his family that I have heard today and the outpouring of love and help from people in the community, from other communities, the State and federal governments and other governments, the police officers, fire department, dispatch, other police and fire departments, Hunter's ambulance and others involved with the recovery has been overwhelming emotionally for a lot of people. This is one of those things when something like this happens, there is no rational explanation and even if or when the Police Department and prosecutors can explain what happened and the reason why it will still be beyond our comprehension how this could happen. It is a tragedy of such magnitude that it is nearly impossible to articulate particularly those of us who are parents and trying to understand the degradation some people are exposed to. Aaden rest in peace and I hope you keep him in your thoughts and prayers. He asks for a moment of silence for Aaden Moreno.

B. (Council Clerk Reads the Call of the Meeting and Mayor declares call a legal call and meeting a legal meeting.)

The Chair declares the call a legal call and the meeting a legal meeting.

The Chair states he knows that there are still several questions to directors and before we get back to that he would like to do several agenda items so that our Honoree can be heard early and the public can be heard early; with that I will take a motion to accept or amend the agenda.

2. Accept/Amend the Agenda.

Councilman Thomas J. Serra reads and moves for approval to amend the agenda to add agenda item 10 M Approving authorizing the Mayor or Superintendent to negotiate and enter into one or more Equipment Leases for the purpose of acquiring property generally described as Honeywell equipment and as described specifically in the Equipment Leases in the form set forth in the resolution by the governing body; remove agenda item 10J dealing with Rental Policies and Procedures; and substitute Agenda Items 10B Regarding amending the Firefighters job description to amend the fiscal impact statement and no further change to the job description and agenda item 11, Mayors Appointments. I so move.

Councilwoman Hope P. Kasper seconds the motion. The chair calls for the vote. It is unanimous to approve with 11 aye votes. The chair states the matter passes unanimously with 11 affirmative votes. Councilman Streeto is absent from the meeting

3. Presentations

A. Honoring Sandra Faraci, retiring Registrar of Voters.

Resolution No. 70-15

File Name ccfaraciresigned
(Approved)

WHEREAS, Sandra Faraci, a long-time Middletown Resident, retired as the Democratic Registrar of Voters; she won her first election in 1997, received the most votes for the office at each election and ran unopposed for the nine full terms she has served; and

WHEREAS, Sandra married Salvatore “Flash” Faraci, who was born and raised in Middletown; they moved Sandra to Middletown to raise their family, Rochelle Villalba and Gary Faraci; she is grandmother to Dylan, Christina and Gabriel; and

WHEREAS, she worked for several years for the Tax Collector’s Office in Middletown; she was a secretary in the Department of Radiation Therapy at Middlesex Hospital; and

WHEREAS, Sandra became a member of the Democratic Town Committee in 1981; she was elected its Assistant Secretary in 1988 and then as Democratic Town Committee Secretary from 1989 – 2013. During that time, she was a delegate to many State Conventions. She coordinated Democratic Headquarters from 1992 through 1997. She became a Justice of the Peace in 1989 and holds the title today; and

WHEREAS, Sandra was Coordinator for U. S. Senator Joseph Lieberman, State Senator Richard Balducci for Governor, and State Senator Amelia P. Mustone. She also served on the Citizens Advisory Committee for Senator Thomas P. Gaffey and for State Senator Amelia Mustone. She was a member of the Progressive Women’s Campaign for U. S. Senator Christopher Dodd and a member of State Senator Richard Balducci’s Women’s Advisory Commission & Issue Network; and

WHEREAS, Sandra is a well-respected Democrat at the State and local level and served, on two occasions as the Honorary Secretary to the State Convention. In 2003, she was awarded the first Connecticut Democratic Women Leadership Award, in recognition of the work she did for the Democratic Party. For the 2012 Presidential election, Sandra received the Democracy Cup because Middletown had the second highest voter turnout in the State at 90%; and

WHEREAS, Sandra served on local commissions and committees; she was the City’s representative to the State’s Regional Mental Health Board for Catchment Area Council #10; she served on the Conservation Commission and the Crystal Lake Committee; as the Democratic Registrar of Voters, she was appointed to the Middlesex County Association of Registrar of Voters and she served on the Technology Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That we recognize and thank Sandra Faraci for her service as the Democratic Registrar of Voters in Middletown; for eighteen years, she has worked diligently to conduct fair and open elections, recruit volunteers, and get Middletown citizens registered as voters; and

BE IT FURTHER RESOLVED: That we wish Sandra a happy retirement; her sunny smile, support and assistance will be greatly missed.

Councilman Giuliano states back when he was a democrat and I think you registered me to vote. He asks Gerald Daley and Deputy Mayor Santangelo to join him. He reads the resolution. He thanks Sandra.

The Chair states the matter is approved by acclamation if there are no objections.

Serra states Santangelo and Daley back in the 70’s with captains of the districts and you led us the right way and it counted to be a Middletown resident with Middletown in her heart. She is a family friend; more than ever her work and caring for Middletown and the candidates that ran and she helped make the community a solid community by helping us to get elected. He congratulates you on a job well done.

Councilman Daley states I too have known Sandra a long time. Her and Flash were great friends and great democrats. I remember numerous times her hosting the nominating committee and Flash would keep us entertained while waiting for our interview. It wasn’t easy corralling all these crazy people during the democratic process. Thank you.

Councilman Santangelo states you knew another great democratic, my mom. Talk about captains, Sandra represents what democrats in Middletown are about. This group before you is like family. Thank you for everything you have done for us.

Ms Faraci states thank you. And you have no idea how much this means to me. I loved working with all of you and it was an honor for 18 years to work with you. Thank you again.

Councilwoman Russo Driska talks to you but as all roots in Middletown run deep. Your children and I attended St. Sebastian together and I knew you as mom and your involvement and when it came full circle and I became town clerk and you the Registrar, we came full circle. Good luck and I will miss you.

Mayor Drew you are an amazing woman. You were the first person I met when I got involved in Middletown. She cares about the rights and abilities of real people. She brought her heart to the job each and every day. Thank you.

4. Mayor requests motion to approve minutes of:

The minutes having been deposited with the Mayor and Corporation Counsel and copies of the same having been served on each and every Council member, the reading of the same having been dispensed with, the Chair requests a motion to approve the minutes. Councilman Robert P. Santangelo moves to approve the minutes of the regular meeting of June 1, 2015 at 7 p.m. and special meeting of June 1, 2015 at 6 p.m. Councilwoman Mary A. Bartolotta seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; and 1 absent by Councilman Streeto. The Chair states the matter carried with 11 affirmative votes and 1 absent.

5. Public Hearing on Bond Ordinance and Agenda Items.

The Chair opens the public hearing on the Bond Ordinance and agenda items at 7:23 p.m. and asks that they state their name and address for the record and to keep comments within five minutes.

Chris Augieri, Fire Union President, ensures the public that it is not dropping its level of service. All members are EMT's and they will continue to be EMT's. It is a change in the hiring process. 80% of the department was hired and earned their EMT certification once hired. The EMT was a way to save money; it was not negotiated nor were they spoken to. The article in the contract refers to current bargaining contract. The 2000 contract is when it made it mandatory to become EMT's. It went in reverse seniority. Before that the cops held the EMT and they dropped their status and the fire picked it up. They shall is that you maintain EMT and the cost borne by the City. If you were hired without it, the City pays for it. The history is in the contracts and you need to read the whole article. In 2000, the City tried to add language must have EMT and the union argued against it and we asked for a waiver of liability for any future lawsuits that the Union be held harmless and the City pulled the proposal and this proves it is not a prehire condition. It is in personnel. I can't figure out why it has gone this far. I speak for the Union; we don't need a vote. He sees resolution C, changing the job description for the nurses are you asking 466 for an MOU. I am in support of this and the Union supports this and it is not a big deal.

Jenny Hawkins Lecce speaking as a commissioner for the MCA. They had put in their annual report and last minute she was asked to come here. She doesn't want to lose the opportunity to point out the arts in the community. Middletown is talked about as an Arts town and we don't know how many organizations are pulling in people to the City. The greater Middletown Chorale was on CPBS; same with music. Art Farm had another spectacular year and they are doing Midsummer Night's Dream coming up. She can go on for a long time and the people applying for grants, the city disburses about \$62,000 to them. That money is key for operation costs and not relatively available for most nonprofits and the service we supply. The artwork before you is a new acquisition of the City and it is a Middletown resident and explains how it was done. Our collection has grown and we have valuable work in the halls of the municipal building. She reinforces the idea that the arts are an economic driver.

Bill Wilson, Vice Chair Republican Town Committee and Vice Chair of Cable Advisory Board is asking that the Council vote no on the three appointments for Cable Advisory. They have missed numerous meetings and when you have a board you need participation. If you are not participating, you should not be reappointed. Inland/wetlands we are not following the statutes 9-167, minority representation. It does not have the proper representation and we don't have one alternate and only 2 are republicans. It needs to be fixed.

Rosa Browne, local NAACP president and Affirmative Action committee chair speaks in favor of the change to the firefighter job. It is an opportunity to encourage diversity and the demographics are changing in Middletown and we need to think about tomorrow to include minorities in these positions. This will provide minorities to apply for the job.

The Chair asks for other members of the public wishing to speak to come forward at this time.

6. Public Hearing on Agenda Items Closes.

The Chair, seeing no further members of the public wishing to speak, closes the public hearing on the bond ordinance and agenda items at 7:35 p.m. He asks for a motion to recess to return to questions to directors.

Motion to Recess

Councilman Thomas J. Serra moves for a recess; Council woman Hope P. Kasper seconds the motion. The chair calls for the vote. It is unanimous to enter recess with 11 aye votes. The chair states the matter passes unanimously with 11 affirmative votes.

The Chair declares a recess at 7:35 p.m.

Meeting Reconvenes

The Chair calls the meeting to order at 8:08 p.m.

7. Mayor requests Council Clerk to read appropriation and bond ordinance requests and the Certificate of Director of Finance.

A. Board of Education \$36,886.79, Account 2080-33000-79704-x-x-2015, 14/15 School CNR, School CNR Fund (Approved)

Councilman Thomas J. Serra reads and moves for approval the Board of Education request for \$36,886.79, Account 2080-33000-XXXXX, 14/15 School CNR, School CNR Fund. Councilwoman Hope P. Kasper seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman

Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**B. Fire Department \$140,000, Account - Various, Various Budget items, Fire Fund Balance.
(Approved)**

Councilman Robert P. Santangelo reads and moves for approval the appropriation request for the Fire Department, \$140,000, Account - Various, Various Budget items, Fire Fund Balance.. Councilman Grady L. Faulkner, Jr. seconds the motion.

Councilman Bauer states he has a process question; he states unlike the other three, he believes this request is for the previous year and asks if that is so. The Chair responds yes, I believe the previous year. Councilman Serra states all the appropriations were vetted by Fiancé and Government and the Public Safety as well.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**C. Common Council \$26,215.21, Account 1000-12000-55185, Contractual Services, General Fund.
(Approved)**

Councilwoman Hope P. Kasper reads and moves for approval an appropriation request for the Common Council in the amount of \$26,215.21, Account 1000-12000-55185, Contractual Services, General Fund.. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

**D. An ordinance appropriating \$1,300,000 for the Planning, Design, Construction, Replacement, rehabilitation of Sanitary Sewers and potable water infrastructure on Middle Street and authorizing the issue of \$1,300,000 bonds and obligations of the City pursuant to Connecticut General Statutes Section 7-263a to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.
(Approved)**

Ordinance No. 13-15

File Name middle street 7-263aOrdinanceCouncil

WHEREAS, Connecticut General Statutes Section 7-263a (the "Statute") permits the issuance of bonds, notes or other obligations by the City of Middletown (the "City") in a principal amount not exceeding \$3,000,000 for the purpose of financing any portion of a sewage system project, provided such bonds, notes or other obligations are secured by a pledge of sewer system revenues or the water pollution control authority agrees to levy, collect and pay to the municipality the amount of debt service on the bonds, notes or other obligations from sewer system revenues;

WHEREAS, subsections (d) and (e) of the Statute provides that notwithstanding any provisions of the general statutes or any charter or special act, bonds, notes or other obligations issued pursuant to the Statute may be authorized, after a public hearings conducted by the Middletown Water Pollution Control Authority and the Common Council of the City, upon a 2/3 vote of the City's legislative body and a 2/3 vote of the Middletown Water Pollution Control Authority;

WHEREAS, the Middletown Water Pollution Control Authority and the Common Council of the City desire to fund the \$1,300,000 costs of the Middle Street Project (as defined below) by the issuance of bonds, notes and other obligations under the Statute;

WHEREAS, on June 4, 2015, the Middletown Water Pollution Control Authority conducted a public hearing with respect to the Middle Street Project and the issuance of bonds, notes and other obligations to finance a portion of such Middle Street Project;

WHEREAS, at its meeting on June 4, 2015, the Middletown Water Pollution Control Authority, by a minimum 2/3 vote, approved the issuance of bonds, notes and other obligations to finance a portion of such Middle Street Project and its pledge of sewer system and water revenues with respect to the repayment of such bonds, notes and other obligations; and

WHEREAS, on July 6, 2015, the Common Council of the City conducted a public hearing with respect to the Middle Street Project and the issuance of bonds, notes and other obligations to finance a portion of such Middle Street Project.

NOW THEREFORE, UPON RECOMMENDATION OF THE MIDDLETOWN WATER POLLUTION CONTROL AUTHORITY, THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN, CONNECTICUT APPROVES THE FOLLOWING:

Section 1. The sum of \$1,300,000 is appropriated for the planning, design, construction, replacement and rehabilitation of sanitary sewers and potable water infrastructure on Middle Street, immediately north of the Berlin town line, including, without

limitation, gravity sewer lines, water lines, force mains, site work and enhancements, meter/pump stations and vaults, manholes, electric and telemetry equipment improvements and software, acquisition of easements and other interests in property, associated utility, street and drainage improvements, repair and relocation, appurtenances related thereto, license and permits, equipment, testing, surveying, paving engineering, administration, inspecting, advertising, printing, legal, and financing costs (the "Middle Street Project"). Any residual appropriated funds, after completion of this initial phase of the Middle Street Project, may be utilized for additional efforts for water and sewer interconnections with the Town of Berlin. Said appropriation shall be inclusive of state and federal grants in aid thereof.

Section 2. The expected useful life of the Middle Street Project is twenty (20) years. The total estimated cost of the project is \$1,300,000 which is approved herein and to be paid from City bond or note obligations.

Section 3. To meet said appropriation \$1,300,000 bonds, notes and other obligations (hereinafter, the "bonds") of the City authorized by this ordinance may be issued pursuant to the Statute, maturing not later than the twentieth (20th) year after their date, or such later date as may be allowed by law. The bonds may be issued in one or more series as shall be determined by the Mayor and the City Treasurer, and the amount of bonds of each series to be issued shall be fixed by the Mayor and the City Treasurer. The bonds shall be issued in an amount necessary to meet the City's share of Middle Street Project costs, including costs related to water and sewer interconnections with the Town of Berlin, determined after considering the estimated amounts of grants in aid of the Middle Street Project and will provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the City and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the City by the manual or facsimile signatures of the Mayor and the City Treasurer, bear the City seal or a facsimile thereof, be certified by a bank or trust company designated by the Mayor and the City Treasurer, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Mayor and the City Treasurer, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall bear such rate or rates of interest (whether fixed or floating) as shall be determined by the Mayor and the City Treasurer. The bonds shall be general obligations of the City and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon and paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds, annual installments of principal, maturity dates, prices, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, including the terms of any reserve that might be established as authorized herein, shall be determined by the Mayor and the City Treasurer in the best interests of the City and in accordance with the requirements of the General Statutes of Connecticut, as amended.

Section 4. Said bonds shall be sold by the Mayor and City Treasurer in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be at not less than par and accrued interest on the basis of the lowest net or true interest cost to the City, or comparable method. If the bonds are sold by negotiation the purchase contract shall be approved by the Mayor and City Treasurer.

Section 5.(i) Pursuant to the Statute, the City hereby pledges to the bond owners its full faith and credit and general obligation taxing power to pay principal and interest when due on the bonds; and the Middletown Water Pollution Control Authority (the "WPCA") pledges to the City to pay to the City an amount equal to such debt service when due, as more fully set forth in Section 5(ii).

(ii) Pursuant to the Statute, the WPCA has pledged to the City to assess, levy, implement and collect sewer system revenues and water revenues from whatever source, including benefit assessments, connection charges, use charges and any other charge authorized by law to be levied or assessed in connection with the operation of the sewer system or the water supply system (hereinafter "System Revenues"), in such amounts and when required to timely pay debt service on the bonds, issued by the City pursuant to this ordinance.

The pledge of the WPCA to the City shall be valid, binding and enforceable in accordance with the terms and provisions of the Statute. The full faith credit and general obligation pledge of the City shall be valid, binding and enforceable irrespective of compliance by the WPCA with its covenants and pledge herein. The City hereby pledges, covenants and agrees to the WPCA and to bondholders that neither this ordinance, or other actions taken hereafter, shall revoke, repeal or otherwise adversely affect the full faith and credit pledge of the City herein to pay debt service redemption premium and any other amount due on the bonds issued pursuant to this ordinance. Pursuant to the Statute, the WPCA has granted a lien upon its System Revenues in favor of the City to secure its pledge and covenants herein. The pledge and covenants of the WPCA shall be and are to, and in favor of, solely the City of Middletown.

(iii) Upon adoption of this ordinance by the City, the pledge of revenues and covenants herein shall be binding and enforceable by the City upon the WPCA in accordance with the provisions of the Statute all rights of which shall accrue to the City, including the right of the City to recover its costs, expenses and attorneys' fees in any court or other proceeding brought to enforce compliance by the WPCA with the pledge and covenants herein, which the WPCA agrees to pay. The failure or inability of the WPCA to pay System Revenues to the City shall not abrogate the general obligation pledge of the City to pay debt service on the bonds when due.

(iv) The Chairman and the Director of the WPCA, each in their individual capacity, have been specifically authorized to make, execute and deliver any contract or contracts, including, but not limited to, any agreement with the City for the repayment of the bonds, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof. The City and the WPCA may by resolutions or ordinances approved by both the WPCA and the Common Council of the City of Middletown amend, supplement or clarify the terms of the pledge of the WPCA to the City, provided that no such amendment shall alter the full faith and credit pledge of the City of Middletown to the holders of bonds issued hereunder.

Section 6. The issue of the bonds aforesaid and of all other bonds or notes of the City heretofore authorized but not yet issued, as of the effective date of this ordinance, would not cause the indebtedness of the City to exceed any debt limit calculated in accordance with law as shown by the "Debt Statement" attached hereto.

Section 7. The Mayor is hereby authorized to spend a sum not to exceed the aforesaid appropriation, along with any prior authorized appropriations, for the purposes set forth herein, and the Mayor is specifically authorized to make, execute and deliver any contract or contracts, and any other documents necessary or convenient to complete the improvements authorized herein and the financing thereof.

Section 8. The Mayor and the City Treasurer are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of any series of said bonds. Notes evidencing such borrowings shall be signed by the manual or facsimile signatures of the Mayor and the City Treasurer, have the seal of the City or a facsimile thereof affixed, be payable at a bank or trust company designated by the Mayor and the City Treasurer, be certified by a bank or trust company designated by the Mayor and the City Treasurer pursuant to the General Statutes of Connecticut, as amended, and be approved as to their legality by Pullman & Comley, LLC, Bond Counsel. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the City and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, and that the full faith and credit of the City are pledged to the payment of the principal thereof and the interest thereon. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the Middle Street Project. Upon the sale of said bonds the proceeds

thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such temporary borrowings then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 9. In connection with the issuance of any bonds or notes authorized herein, the City may exercise any power delegated to municipalities pursuant to Section 7-370b, as may be approved and executed by the Mayor and the City Treasurer, including the authority to enter into agreements moderating interest rate fluctuation, provided any such agreement or exercise of authority shall be approved by the Common Council.

Section 10. With respect to the receipt of original issuance premium or bid premium upon the sale of the bonds or notes herein authorized, the Mayor and City Treasurer are authorized, but not required, to apply original issuance premium and bid premium, if applicable, to fund future debt service payments on such bonds or notes or to fund any purpose for which bonds of the City are authorized to be issued, and such application shall reduce the amount of authorized and unissued bonds of the purpose to which the premium was applied, in the amount so applied.

Section 11. In order to meet the capital cash flow expenditure needs of the City, the Director of Finance, with notice to and advice from the Mayor and the City Treasurer, is authorized to allocate and reallocate expenditures incurred for the Middle Street Project to any bonds or notes of the City outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes and Middle Street Project herein authorized.

Section 12. The Mayor, the City Treasurer and the Director of Finance are each hereby authorized to apply for and accept any available State or Federal grant in aid of the financing of the Middle Street Project, and to take all action necessary or proper in connection therewith.

Section 13. The City hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty (60) days prior to and after the date of passage of this ordinance in the maximum amount and for the Middle Street Project with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the City. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the Middle Street Project, or such later date as the Regulations may authorize. The City hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay Middle Street Project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 14. The Director of Finance is hereby authorized to exercise all powers conferred by Section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this ordinance.

DEBT STATEMENT
April 30, 2015
CITY OF MIDDLETOWN, CONNECTICUT

ANNUAL RECEIPTS FROM TAXATION AND REIMBURSEMENTS ("BASE")		
Fiscal Year Ended June 30, 2014		112,444,634
BORROWING CAPACITY FOR EACH CLASS		
2-1/4 times base for General Purposes		253,000,427
4-1/2 times base for Schools		506,000,853
3-3/4 times base for Sewers		421,667,378
3-1/4 times base for Urban Renewal		365,445,061
3 times base for Unfunded Past Benefit Obligations		337,333,902
MAXIMUM AGGREGATE BORROWING CAPACITY		787,112,438
7 times Base		
INDEBTEDNESS BONDS AND NOTES:		
GENERAL PURPOSES	58,252,645	
SCHOOLS	13,186,380	
SEWERS	5,697,700	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	-	
BONDS AND NOTES AUTHORIZED BUT		
UNISSUED:		
GENERAL PURPOSES	25,979,270	
SCHOOLS	834,000	
SEWERS	10,296,730	
URBAN RENEWAL	-	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	-	
CLEAN WATER FUND LOANS:		
SEWERS	5,153,750	
SUB-TOTAL INDEBTEDNESS	119,400,475	
LESS		
FEDERAL AND STATE OF CONNECTICUT		
BUILDING GRANTS, COMMITMENTS AND		
RECEIVABLES		
GENERAL PURPOSE	-	
SCHOOLS	-	
SEWERS	-	
URBAN RENEWAL	-	
TOTAL DEDUCTIONS	-	
NET INDEBTEDNESS		119,400,475
TOTAL DEDUCTIONS		
BALANCE OF BORROWING CAPACITY FOR		
EACH CLASS:		
GENERAL PURPOSE	168,768,512	
SCHOOLS	491,980,473	
SEWERS	400,519,198	
URBAN RENEWAL	365,445,061	
UNFUNDED PAST BENEFIT		
OBLIGATIONS	337,333,902	

BALANCE OF MAXIMUM AGGREGATE BORROWING
CAPACITY AVAILABLE

667,711,963

Councilwoman Hope P. Kasper reads and moves for approval An ordinance appropriating \$1,300,000 for the Planning, Design, Construction, Replacement, rehabilitation of Sanitary Sewers and potable water infrastructure on Middle Street and authorizing the issue of \$1,300,000 bonds and obligations of the City pursuant to Connecticut General Statutes Section 7-263a to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.. Councilman Carl R. Chisem seconds the motion.

Councilman Faulkner asks if this is one of those bonds that is over the \$750,00 but. . . The Chair recognizes the Clerk. The Clerk states it is a State Statute and allows Water and Sewer to bond up to \$3 million for projects. She states the ordinance should be read through Section 1.

Motion to Waive the Rules
Councilman Daley states I move to waive the reading of the Whereas paragraphs and read Section 1 into the record. Councilman Chisem seconds the motion. The vote is unanimous.

Councilwoman Kasper reads Section 1 into the record and moves the bond ordinance for approval. Councilman Giuliano seconds the motion.

Motion to Waive the Rules
Councilman Daley moves to waive the reading of the rest of the ordinance and is seconded by Councilman Faulkner. The vote is unanimous to approve the waiving of the reading.

Councilman Daley thinks this will open economic opportunities for Middletown where water and sewer utilities are not available. For that reason he urges approval of this. Councilman Bauer states he appreciates the short term, but there are long term benefits that we collaborate with the town of Berlin where we actually have the potential of future water sales and it includes public safety component in case of fire we can support the availability of water to fight fires in both communities.

The chair calls for the vote by roll call.

Councilwoman Bartolotta	Aye
Councilman Bauer	Aye
Councilman Chisem	Aye
Councilman Daley	Aye
Councilman Giuliano	Aye
Councilman Faulkner	Aye
Councilwoman Kasper	Aye
Councilwoman Kleckowski	Aye
Councilwoman Russo Driska	Aye
Councilman Santangelo	Aye
Councilman Serra	Aye
Councilman Streeto	Absent

The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

8. Department, Committee, Commission Reports and Grant Confirmation Approvals:
- A. City Clerk's Certificate
(Approved)



City of Middletown
City & Town Clerk's Office
245 deKoven Drive
Middletown, CT 06457

Certification

I, Linda Bettencourt, City and Town Clerk of the City of Middletown and custodian of the records and seal thereof, hereby certify that all ordinances and appropriations passed and adopted at the regular meeting of the Common Council on June 1, 2015 at 7:00 p.m. and the special meeting on June 1, 2015 at 6:00 p.m., have been advertised in the local newspaper.

Dated at Middletown, Connecticut, this 2nd day of July, 2015.

Attest:

Linda Bettencourt
Linda Bettencourt
City & Town Clerk



❖ Phone (860) 638-4910 ❖ Fax (860) 638-1910 ❖ TDD (860) 638-4812

B. Monthly Reports:
Finance Department - Transfer Report to May 14, 2015
(Approved)

Transfers of Funds - Operating Budget Accounts					
From/5/15/15 FY 2014-2015			To/6/30/15		
Date	Department	Budget Item	From Account No.	To Account No.	Amount
05/21/15	PW/Highway	Winter/Snow Overtime	1000-22000-51360-0226		(8,000.00)
		Miscellaneous Overtime		1000-22000-51333-0226	8,000.00
05/21/15	Library	Large Format Printer/In-House Posters & Brochures	2070-07000-79683-x-x-2015		(907.05)
		Young Adult Services		2070-07000-79684-x-x-2015	907.05
05/21/15	Mayor	Contingency Fund	1000-27000-57020		(150.00)
		Misc Expense		1000-27000-57030-0708	150.00
05/21/15	Mayor	Contingency Fund	1000-27000-57020		(1,785.00)
	PW/Highway	Miscellaneous Overtime		1000-22000-51333-0226	1,785.00
05/22/15	PW/Bldg & Grnds	Contractual Services	1000-22000-55185-0229		(1,500.00)
		Repairs/Maintenance to Bldg		1000-22000-53380-0229	1,000.00
	PW/City Hall	Repairs/Maintenance to Bldg		1000-22000-53380-0227-50001	500.00
05/22/15	Water	Contingency Fund	5000-60000-57020		(4,000.00)
		Natural Gas		5000-80000-54130	4,000.00
05/22/15	PCD	Contractual Services	1000-14000-55185		(160.44)
		Overtime		1000-14000-51340	160.44
		Contractual Services	1000-14000-55185		(500.00)
		Video		1000-14000-53350	500.00
05/28/15	PW/Bldg & Grnds	Contractual Services	1000-22000-55185-0229		(12,000.00)
	PW/City Hall	Contractual Services		1000-22000-55185-0227-50001	12,000.00
05/28/15	PW/Highway	Snowplowing Private Contractors	1000-22000-55471-0226		(800.00)
		Cell Phone		1000-22000-54120-0226	800.00
05/28/15	PCD	Cell Phone	1000-14000-54120		(570.04)
		General Administrative		1000-14000-52110	570.04
05/28/15	Landfill, Waste & Recycling	Site Improvements	2380-22000-55417		(5,000.00)
		Repairs/Maintenance to Vehicles		2380-22000-53520	5,000.00
05/28/15	Health	General Administrative	1000-31000-52110		(200.00)
		General Vehicle Services		1000-31000-53510	200.00

		General Administrative		1000-07000-52110	1,005.06
		Repairs/Maintenance to Buildings		1000-07000-53380	873.24
		Adult		1000-07000-53405	5,788.85
		Juvenile		1000-07000-53410	1,428.78
		Young Adult		1000-07000-53415	3,864.35
06/09/15	Sanitation	Truck Rent/Lease	2020-40000-56220		(470.00)
		Interdepartmental Services		2020-40000-52125	470.00
06/09/15	IT	Stipend	1000-03500-51370		(900.00)
		Network Access	1000-03500-55220		(1,200.00)
		Consultant Services		1000-03500-55180	2,100.00
06/09/15	Animal Control	Uniform Allowance	1000-18000-51980-0182		(150.00)
		Paid Holiday	1000-18000-51980-0182		(1,000.00)
		Repairs/Maintenance to Vehicles	1000-18000-53520-0182		(343.49)
		Tires	1000-18000-53530-0182		(400.00)
		Overtime		1000-18000-51340-0182	500.00
	Police	Incentive Pay	1000-18000-51910-0180		(2,500.00)
		General Administrative	1000-18000-52110-0180		(5,000.00)
		Misc Supplies	1000-18000-53115-0180		(3,000.00)
		Repairs/Maintenance to Buildings	1000-18000-53380-0180		(3,500.00)
		Telephone	1000-18000-54110-0180		(3,500.00)
		Cell Phone	1000-18000-54120-0182		(134.30)
		Contractual Services	1000-18000-55185-0180		(35,000.00)
		Claims Paid	1000-18000-57110-0180		(536.64)
		General Tech Maint & Improve	1000-18000-55810-0180		(10,000.00)
		Uniform Allowance		1000-18000-51950-0180	17,000.00
		Paid Holiday		1000-18000-51980-0180	47,364.43
06/09/15	Special	Copier Expenses	1000-27000-55435		(2,000.00)
		Postage		1000-27000-52150	2,000.00
06/09/15	PW/Highway	Snowplowing Private Contractors	1000-22000-55471-0225		(2,900.00)
		Winter/Snow Overtime	1000-22000-51360-0225		(962.58)
	PW/Bldg & Grnds	Building Materials		1000-22000-53235-0225	500.00
	PW/Garage			1000-22000-53510-0225	3,392.58
06/09/15	Sanitation	Waste Removal	2020-40000-55410		(8,500.00)
		General Vehicle Services		2020-40000-53510	8,500.00
06/10/15	Police	Contractual Services	1000-18000-55185-0180		(4,000.00)
		General Tech Maint & Improve	1000-18000-55810-0180		(2,500.00)
		Overtime	1000-18000-51340-0180		(10,000.00)

		Uniform Allowance		1000-18000-51950-0180	6,000.00
		Paid Holiday		1000-18000-51980-0180	2,500.00
		Replacement OT		1000-18000-51357-0180	8,000.00
06/09/15	Mayor	General Vehicle Services	1000-01000-53510-0010		(380.00)
		Copier Expenses	1000-01000+-55435-0010		(300.00)
		General Administrative		1000-01000-52110-0010	680.00
06/09/15	Parking	Overtime	1000-18500-51340		(1,000.00)
		Prof Develop/Training	1000-18500-51930		(825.00)
		Uniform Allowance	1000-18500-51950		(800.00)
		Genl Agency Supplies & Equipment	1000-18500-53005		(2,750.00)
		Salaries & Wages, PT Perm		1000-18500-51215	2,750.00
		Contractual Services		1000-18500-55185	4,625.00
		General Vehicle Services	1000-18500-53510		(2,000.00)
06/09/15	Fire	General Vehicle Services	2010-50000-53510-0500		(1,500.00)
		Tires		2010-50000-53530-0500	1,500.00
		Natural Gas/Propane	2010-50000-54130-0500		(4,000.00)
		Repairs/Maintenance to Buildings		2010-50000-53380-0500	4,000.00
06/11/15	Sewer	Salaries & Wages, PT Temp	2050-65000-51220		(2,000.00)
		Temporary Services	2050-65000-55175		(5,400.00)
		Contractual Services		2050-65000-55185	7,400.00
06/11/15	Sewer	Contingency Fund	2050-65000-57020		(20,500.00)
		Waste Removal		2050-65000-55410	20,500.00
06/11/15	Sewer	General Administrative	2050-65000+-52110		(2,000.00)
		Repairs/Maintenance to Vehicles		2050-65000-53520	2,000.00
06/11/15	PCD	General Administrative	1000-14000-52110		(45.00)
		Overtime		1000-14000-51340	45.00
06/11/15	Recycling	Contractual Services	1000-22000-55185-0222		(400.00)
		General Administrative		1000-22000-52110-0222	400.00
06/11/15	Communications	Prof Develop/Training	1000-18700-51930		(1,850.00)
		Telephone	1000-18700-54110		(500.00)
		Contractual Services	1000-18700-55185		(10,000.00)
		Replacement OT-Dispatchers		1000-18700-51355	12,350.00
06/11/15	Fire	Drug, Alcohol, Physicals, Lab Test	2010-50000-55140-0500		(400.00)
		Longevity	2010-50000-51420-0500		(100.00)

		Contractual Services		2010-50000-55185-0500	500.00
06/11/15	Senior	Contractual Services	1000-32000-55185-0130		(6,450.00)
		Building Materials	1000-32000-53235-0130		(800.00)
		General Administrative	1000-32000-52110-0130		(500.00)
		General Specialized Equipment		1000-32000-53100-0130	7,750.00
06/12/15	IT	Cell Phone	1000-03500-54120		(3,963.51)
		Network Access	1000-03500-55220		(1,708.09)
		GIS Related Expenses	1000-03500-55345		(2,850.00)
		General Tech Maint & Improvement		1000-03500-55810	8,321.60
06/12/15	PCD	Contractual Services	1000-14000-55185		(89.56)
		Property Management		1000-14000-53185	89.56
06/12/15	PCD	General Administrative	1000-14000-52110		(800.00)
		Property Management		1000-14000-53185	800.00
06/16/15	Fire Alarm	General Admin	1000-60600-52110		(100.00)
		General Specialized Equipment		1000-60600-53100	100.00
06/17/15	Library	AV Materials: Adult AV	1000-07000-53123-x-04300		(16.35)
		AV Materials: Juvenile AV	1000-07000-53123-x-04302		(159.61)
		Repairs/Maintenance to Buildings	1000-07000-53380		(1,497.00)
		Salaries & Wages, PT Perm		1000-07000-51215	1,672.96
09/13/01	IT	Salaries & Wages, PT Perm	1000-03500-51215		(312.97)
		General Administrative	1000-03500-52110		(82.47)
		General Tech, Maint & Improvement		1000-03500-55810	395.44
06/22/15	Landfill	Landfill, Waste & R: Contractual Services	2380-22000-55185		(1,500.00)
		Landfill, Waste & R: Banking Services		2380-22000-55105	1,500.00
06/22/15	PW/Engineering	General Administrative	1000-22000-52110-0223		(2,000.00)
		Office Equipment Maintenance	1000-22000-55436-0223		(1,500.00)
	PW/Highway	Tree Service	1000-22000-55475-0226		(3,000.00)
	PW/Sanitation	Repairs/Maintenance to Vehicles	1000-22000-53520-0230		(1,500.00)
	PW/Highway	Towing	1000-22000-53340-0226		(2,000.00)
	PW/City Hall	Contractual Services		1000-22000-55185-0227-50001	7,500.00
	PW/Highway	Landfill Overtime		1000-22000-51336-0226	2,500.00
06/22/15	Recreation	Salaries & Wages, PT Temp	1000-32000-51220-0321		(800.00)
		Printing	1000-32000-52155-0321		(350.00)
		Overtime		1000-32000-51340-0321	950.00

06/22/15	Police	Incentive Pay	1000-18000-51910-0180		(4,234.30)
		Uniform Allowance	1000-18000-51950-0180		(2,172.96)
		General Administrative	1000-18000-52110-0180		(1,684.49)
		Postage	1000-18000-52150-0180		(1,034.45)
		Spec Agency Supplies & Equipment	1000-18000-53102-0180		(844.63)
		Misc Supplies	1000-18000-53115-0180		(845.15)
		Lethal/Less Lethal Equip & Supplies	1000-18000-53140-0180		(1,172.75)
		Repairs/Maintenance to Buildings		1000-18000-53380-0180	1,688.80
		General Vehicle Services	1000-18000-53510-0180		(15,000.00)
		Tires	1000-18000-53530-0180		(28.18)
		Telephone	1000-18000-54110-0180		(798.02)
		Contractual Services	1000-18000-55185-0180		(8,684.89)
		Communication Equipment Maintenance	1000-18000-55440-0180		(2,257.93)
		General Tech Maint & Improvement	1000-18000-55810-0180		(2,746.87)
		Claims Paid	1000-18000-57110-0180		(1,125.74)
	Animal	Prof Develop/Training	1000-18000-51930-0182		(530.00)
		Postage	1000-18000-52150-0182		(665.05)
		General Administrative	1000-18000-52110-0182		(1,812.00)
	Police	Replacement OT		1000-18000-51357-0180	36,000.00
		Paid Holiday		1000-18000-51980-0180	1,000.00
		Salaries & Wages, PT Perm		1000-18000-51215-0180	6,955.41
06/22/15	Fire	Fica	2010-50000-51550-0500		(200.00)
		General Administrative		2010-50000-52110-0500	200.00
06/29/15	Library	Overtime	1000-07000-51340		(2,074.41)
		Adult	1000-07000-53405		(5,663.05)
		Juvenile	1000-07000-53410		(1,426.78)
		Salaries & Wages, PT Perm		1000-07000-51215	9,164.24
06/29/15	PW/Highway	Snowplowing Private Contractors	1000-22000-55471-0226		(1,550.00)
		Cell Phone		1000-22000-54120-0226	50.00
	PW/Sanitation	Waste Removal		1000-22000-55410-0230	1,500.00
06/30/15	Parks	Uniform & Clothing Allotment	1000-22000-51950-0320		(500.00)
		Administration	1000-22000-52110-0320		(259.15)
		General Specialized Equipment	1000-22000-53100-0320		(4,587.08)
		Contractual Services	1000-22000-55185-0320		(2,585.92)
		Building/Park Maintenance Materials		1000-22000-53380-0320	1,651.08
		Vehicle Services		1000-22000-53510-0320	1,272.07
		Miscellaneous Overtime		1000-22000-51340-0320	5,000.00
06/30/15	Special	Contingency Fund	1000-27000-57020		(465.00)

	Community	Misc Expense		1000-27000-57030-0708	465.00
06/30/15	Fire Alarm	Gasoline	1000-60600-53540		(100.00)
		Cell Phone		1000-60600-54120	100.00
					(0.00)

C. Grant Confirmation and Approval - Board of Education, Various Grants (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457
REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 218

Date of Request: 6/23/2015

Name of Grant: as listed below

Amount Requested: \$1,377,965.73

Code: 2450-33000-59405-X-03025

Grant Period: From: 7/1/2014 To: 6/30/2015

Rev Code 2450-33000-43480-X-X


Type of Grant:

Amount Loaned from General Fund: \$0.00

Department Administering Grant: Middletown Board of Education

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:
769 - Middletown Teen Theater \$21,005.00; 813 - ADED Provider (State) \$(38,164.00); 814 - ADED COOP Elig Entity \$(2,611.00); 819 - Out of Town Magnet Trans \$9,100.00; 840 - Excess Cost SPED \$661,433.00; 841 - SPED Medicaid \$22,180.46; 848 - PEGPETIA - PURA Ed Tech \$120,179.20; 876 - Hartford Symphony Donations \$5,974.00; 894 - Swaim Strings Pgm \$1,849.75; 700 - Food Services \$243,842.08; 801 - Retirees/Cobra Ins \$262,613.00; 803 - Workers Comp \$6,541.46; 804 - Preschool Pgm Fees \$9,376.94; 809 - Maintenance/Rentals \$3,522.50; 823 - Central Office Receipts \$8,680.06; 833 - ADED Receipts \$19,265.30; 893 - Fingerprinting Receipts \$73.75; 895 - SPED Tuition Reimbursement \$20,989.23; 898 - Student Activities - MHS \$300.00; 901 - Kelgwin Parent Fees \$155.00; 902 - Student Activities \$1,640.00. Total Special Programs through 5/19/15 \$17,185,560.31 ADDITIONS \$1,377,965.73 Total Special Programs through 6/23/15 \$18,563,526.04.

Signature: 

Requested by: Patricia Charles, ED.D

Status:

Status Date:

D. Grant Confirmation and Approval - Mayor's Office School Readiness (Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 217

Date of Request: 6/18/2015

Name of Grant: School Readiness Grant

Amount Requested: \$2,128,125.00

Code: 3130-33000-59200-X-03740-2016

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 3130-33000-43242-X-03740-2016

Type of Grant: State

Amount Loaned from General Fund: \$2,128,125.00

Department Administering Grant: Mayor's Office/Superintendent of Schools

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:
Funds from this grant will be used to 1) significantly increase the number of accredited and/or approved slots for young children in order to provide access to high quality preschool; 2) significantly increase the number of slots for young children to receive full day, full year child care services to meet family needs nad to enable parents to become employed; 3) establish shared services for such early care and education programs among the state, its various agencies, the community and families.

Signature: [Signature]

Requested by: Mayor Daniel T. Drew

Status:

Status Date: 6/23/15

E. Grant Confirmation and Approval - Mayor's Office School Readiness Quality Enhancement Approved)

CITY OF MIDDLETOWN
MUNICIPAL BUILDING
MIDDLETOWN, CONNECTICUT 06457

REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL
OF THE FOLLOWING GRANT

Grant Number: 219

Date of Request: 9/23/2015

Name of Grant: School Readiness - Quality Enhancement

Amount Requested: \$25,380.00

Code: 3130-33000-59200-X-03080-2016

Grant Period: From: 7/1/2015 To: 6/30/2016

Rev Code: 3130-33000-49055-X-03080-2016

Type of Grant: State

Amount Loaned from General Fund: \$25,380.00

Department Administering Grant: Mayor's Office/Superintendent of Schools/School Readiness Council

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:
The funds received through this grant will be utilized to enhance the quality of school readiness programs.

Signature: [Signature]

Requested by: Mayor Daniel T. Drew

Status:

Status Date: 6/23/15

F. Middletown Commission on the Arts Semi-annual Report - Chair C. Day (Accepted)

Middletown Commission on the Arts semi-annual report to the Common Council – June 1, 2015

In the last two years alone, the MCA and the City of Middletown has given out over \$126,000 in the form of more than a dozen operating grants while funding nearly 50 projects. These include a Trinidad-style Caribbean Carnival at Harbor Park, a trio of concerts that will lead up to a newly revived Midnight on Main-type event; Wesleyan University's Big Draw; the Connecticut Ballet's Summer Dance Caravan, Oddfellows Playhouse productions of "Oliver" and "A Midsummer Night's Dream," Artfarm's Shakespeare in the Grove and Middletown High School Goes To the Symphony. General operating support has been provided to the Greater Middletown Concert Association, the North End Arts Rising (The Buttonwood Tree), Greater Middletown Chorale, Oddfellows Playhouse and ArtFarm, which have provided programming from a variety of disciplines for decades. These organizations and many others foster a culturally and artistically diverse community that enriches lives here in the city and draws audiences from throughout the region. Through their outreach efforts, many invest in one of our most valuable resources – young people – who will in turn perpetuate Middletown's artistic vision for generations. They, as well as Wesleyan University, Russell Library, Klekolo and others actively recruit volunteers who provide an average of 20 hours each. These efforts create a savings of more than \$173,000 (based on a rate of \$27.50 per hour). Over the last two years, the city has hosted local arts projects whose budgets total \$2.98 million, with grantees asking for more than \$267,000 in support. With City approval, the MCA awarded \$126,000, or 4.23 percent of these budgets, toward activities enjoyed by residents and visitors alike. During each budget cycle, the city granted \$63,000. In fiscal year 2013-14, it funded 5.2 percent of projects totaling \$1.2 million; in 2014-15, the MCA dispersed 3.6 percent of projects whose entire budgets comprised \$1.76 million. Three subcommittees of the Middletown Arts Commission have been hard at work this year with projects that enhance, expand and draw upon the city's wealth of talent as well as fostering creativity in our youth.

Public Art Committee

- Members of this subcommittee are continuing to refine the City Art Collection Acquisition Policy. Curatorial concerns include framing the donation of Middletown native Adam Wasicki's "Rooster" piece, and updating/replacing plaques on some paintings.
- The panel has most recently selected Middletown resident Gil Scullion's work, "Wagon Train," which was acquired last June. It is a hand- cut paper stencil template from the series "Plow a Furrow, Sow a Seed."
- It is charged with selecting and presenting the MCA Annual Arts Award, given to a graduating senior from one of the city's high schools for a work of art. The 2014 winner was Joe Hartman for his photo montage, which earned a \$150 prize.
- Members are also working on the acceptance of a piece by John Risley, professor of design and sculpture at Wesleyan, a gift from the university's German department. It is being offered to the city for the cost of moving.

Planning and Projects

- Over the past year, the subcommittee has worked on a number of tasks, including the setup and activities for the annual Open Air Market at the Wadsworth Mansion. The MCA booth offers information about various arts organizations and their upcoming events, as well as an art station that allows children to paint and create their own masks to take home.
- Members assist the commission with presenting the annual Arts Advocacy Award – this year given to John Basinger, a teacher and multitiered artist; and the creators of the new "Middleshire" exhibit at Kidcity.
- Its newest project is drawing up guidelines, assembling a panel for, and selecting a Middletown Poet Laureate.
- The committee is spearheading plans to expand the Children's Circus and Kids Arts into full-time summer programs that will provide a full day of child learning and care for children of working parents.

Kids Arts

- Last year's 26th Annual Children's Circus, "Circus Saves the Day" and creative arts workshops with the theme, "The Drought Monster – Save the Rainforest," culminated with an August outdoor performance that attracted more than 1,200 adults and children to Macdonough Elementary School.
- This summer camp provides five weeks of half-day programs (morning and afternoon) with a total enrollment of 171, which represents children attending both sessions. The circus involved 147, while 72 enrolled in the creative arts workshops. About 49 percent of those participating used free busing to get to and from the program. This figure may increase in 2015 as Spencer School once again hosts these camps.
- Kids Arts operates on a sliding scale to ensure participation for all interested children who live in the city. There have been more requests from parents for full-day programming and the MCA is looking for ways to address the concern. Presently, these camps can only accommodate full-day requests for about one-third of those enrolled.

arts2go.org

- The Arts & Culture Office maintains the City's Arts & Entertainment website which provides multiple daily updates on what's happening in the arts/entertainment areas in the City on any given day. Visitors to the site by numbers -
Past year: 6,531, of which 3783 were new viewers Past month: 640; 450 new Past week: 152; 108 new

G. UPSEU Response to Draft Classification Study (Accepted)



June 15, 2015

General Counsel Brig Smith
Office of General Counsel
City of Middletown, City Hall
245 DeKoven Drive
Middletown, CT 06457

RE: UPSEU Draft Comp. Study Commentary

Dear Brig:

Thank you for forwarding the recently released Draft Segal Waters Classification and Compensation Study and the accompanying Draft Executive Summary dated May 15, 2015. I should share that I personally and we collectively stood ready to support the report findings even if our unit's members were not collectively or individually recommended for wage increases. It was my and our belief that if the report fairly found that our colleagues in Local 466 or even, those in the exempt group, were undervalued, then those individuals deserved to see the proper market-based realignment of their salaries.

However, I should also share a major caveat to this potential statement of support. I expected the City would receive a well thought, well assembled, un-biased and data driven report that illustrated the due diligence of sound research and factual buttressing for the report's conclusions. I must state that this draft report did not meet any of those expectations.

Why do we believe the draft report so dramatically misses the mark?

First, Segal's own data, or better said, the lack thereof, is the answer. Some incomprehensible examples include the fact that 3 UPSEU positions are recommended for salary increases without any supporting data and the report offered only 18 UPSEU positions with matching data out of the 50 positions that were examined. We find this lack of data particularly curious in light of the fact that many of Connecticut's 169 cities and towns have universal positions such as a Senior Services Manager, a Deputy Tax Assessor or a Town Clerk. Yet, in Segal's draft report these positions are listed as having no supporting data. This claim is particularly odd when we consider that Segal performed similar labor studies in Connecticut towns which do in fact have the very roles that Segal now claims to have no data.

Still further, we believe the credibility of the entire report is seriously damaged by the fact that our own members easily and readily located comparable Connecticut positions using basic online public sources.

Second, the failure of Segal to broaden their searches beyond the specific Middletown job title illustrated to many of our members the lack of an invested work effort that we believe was necessary to provide the City with a truly competent market study. For example, in Middletown, our official land records are safeguarded by the “*City and Town Clerk*” while in many towns the position is simply recognized as the “*Town Clerk*.” The failure of Segal to make such a basic corollary leaves the draft report with significant gaps of information. This glaring error is repeated in numerous instances.

Third, in situations where Segal did in fact find a match and did make an apparent comparison, those comparisons appear to be misaligned, overly broad and/or erroneous. We believe that in many instances UPSEU managers were measured against lower level staff roles while in other cases they are improperly measured against more senior roles. For example, in Middletown, the role of the Common Council Clerk is a highly valued and specialized function tailored to our City Council’s needs and initiatives. Yet, this position is compared by in-large to clerical or partial clerk roles in other towns. By way of another example, the Superintendent of Water is improperly compared to the head of the entire Water and Sewer Department.

It is our contention that the Segal draft report repeatedly:

- makes inconsistent measurements;
- fails to make a basic corollaries between Middletown job descriptions and the appropriate market benchmark jobs;
- forces comparisons where they did not exist or
- in-reverse does not make basic comparisons where they should have been made.

Fourth, the draft report creates significant issues with a number of previously approved job descriptions. Without regard for the City Council’s legislative purview, department functionality, internal accountability or the local reasoning for specific aspects of a job description, Segal made inexplicable changes to entire positions and in some cases essentially eliminated the position altogether without eliminating the necessary daily tasks. In some instances we believe Segal’s recommended changes may place the City in legal jeopardy leaving specific State Statutes unfulfilled or disregarded. For example, in the Tax Assessor’s office, several job description rewrites are void of statutory support. Also, in another case, only a few years ago the City Council went through the painstaking and detailed process of reorganizing the Water and Sewer Department to meet functional, regulatory and legal considerations. If this draft report is adopted, it will undo all that important work which brought the department into compliance.

Fifth, the draft report also makes several recommendations regarding OT eligibility that fly in the face of common functionality. We have 10 UPSEU members that are recommended to be moved from OT eligibility to non-OT eligible or vice-versa. Yet, how Segal arrived at these exempt/non-exempt

conclusions remains a mystery. If left unchallenged, these shifts would not only bring great economic harm to these individuals but the shifts in eligibility also fail to recognize that many of these individuals spend days away from their families managing natural disasters, snow storms and unexpected infrastructure failures on behalf of the City.

Sixth, the report attempts to subtly eliminate some UPSEU positions, such as the Assistant Tax Assessor role, by moving its component parts to the job descriptions of Local 466 positions. We find that such an attempt to transfer work or eliminate bargaining unit positions seriously undermines the working trust UPSEU believes it has with the City.

Finally, intended or not, a significant perception of bias has been generated by the draft report. A report that found so few data matches for Local 466 and UPSEU positions in turn found an almost 100% match rate for the highly compensated exempt group. This oddity and the corresponding dramatic pay increases recommended for this group, including those in your office which oversaw the Segal relationship, has not gone unnoticed by the vast majority of City staff. I support and thank you for your candid statement of discomfort regarding this aspect of the report during the last OGC Commission meeting.

In total, we believe the report is so poorly constructed and that it has damaged its own credibility so much that the City Council should consider the three following courses of action:

1. Make no further payments to Segal Waters of the nearly \$90,000 taxpayer dollars the City set aside for this review;
2. Question Segal Waters as to the level and experience of the staff that contributed to the draft report creation. Specifically, the City Council has the right to know whether the firm assigned principals, associates or interns to research and create this document;
3. Either have the survey redone by another firm or accept it and subsequently table it without further action or consideration.

Per your request, the members of UPSEU are preparing specific reviews and comments germane to their roles and responsibilities. I have attached just a sampling of 8 commentaries and highlighted key components in each. Please know that this sample is by no means a total representation of our members’ deep concerns with the draft report.

Also, since every member is impacted in some way, we are finding it very difficult to give a comprehensive response to the City by June 15, 2015. We ask that you acknowledge that Segal took several months to compile its report while we have been given only a few short weeks to consider a variety of specific issues and their ramifications.

Furthermore, due to the significant misgivings we have with Segal, the draft report as a whole and the potential misuse or misinterpretation of our members’ comments by Segal, we believe it best to hold our specific comments in reply directly to the City Council once that local legislative body is presented Segal’s final report.


OpenThroatPath
President, UPSU Local 6457

CC: Honorable Mayor Daniel T. Drew
Common Council Members
UPSU Members
Local 466 Leadership Team

H. Emergency Purchase Police Department - Hot Water Control
(Approved)

To: Common Council

From: J. Lozefski, Captain
Middletown Police Department

Date: June 25, 2015

RE: Emergency Purchase – Hot Water Control

On June 16th, 2015, a valve that controlled hot water for the Police Department broke. The valve was leaking profusely and needed to be repaired immediately. The city Plumber, Jeff Knackle was called. He determined that the part needed to be replaced. Said part controlled Hot water for the Police Department and the First and Last Restaurant.

At that time, all city credit cards were shut off. On 06-16-15, I went to the Finance Department and was granted permission to make an emergency purchase for the replacement of the hot water valve.

The cost of the valve was \$1,340.72

Capt. J. Lozefski
Administrative Division Commander
Middletown Police Department
Phone: 860-638-4111
Email: John.Lozefski@MiddletownCT.Gov

I. Grant Confirmation and Approval - Public Works Columbus Park Lighting
(Approved)

CITY OF MIDDLETOWN MUNICIPAL BUILDING MIDDLETOWN, CONNECTICUT 06457	
REQUEST FOR COMMON COUNCIL CONFIRMATION AND APPROVAL OF THE FOLLOWING GRANT	
Grant Number: 220	Date of Request: 6/24/2015
Name of Grant: Columbus Park LED Lighting Project	
Amount Requested: \$1,425.00	Code: 2342-2200-49242-0220-30199-2016-100 Rev. 2342-2200-59200-0220-30199-2016-100 Exp
Grant Period: From: 7/1/2015 To:	Rev Code
Type of Grant: Local	Amount Loaned from General Fund: \$1,360.00
Department Administering Grant: Public Works	

When any department, commission, office or agency is the recipient of any federal, state or other grant allocated for specific purposes, these funds shall be immediately transferred to the specific unit which has made application for such grant. Confirmation and approval of such transfer shall be given at the next regularly scheduled sessions of the Common Council. Notwithstanding any other Charter provision, the action of the Common Council in confirming and approving such transfer shall be an appropriation; no public hearing thereon shall be required and said funds may then be expended for the purposes for which they were granted.

Description of services to be provided by this Grant:
The grant will provide reimbursement up to 36 percent of the cost of upgrading lighting in the parking area at Columbus Park. The total project cost is \$3960. The reimbursement amount of \$1,425 may vary and will be confirmed by Eversource once project documents have been submitted. Any remaining balance will be funded through LOGIP.

Signature: _____
Requested by: William Russo
Status: _____
Status Date: _____

Councilman Thomas J. Serra reads and moves for approval Department, Committee, Commission Reports and Grant Confirmation Approvals: 8A, 8b, 8C, 8D, 8E, 8F, 8G, 8H, and 8I. Councilman Grady L. Faulkner, Jr. seconds the motion. He asks where Columbus Park is; the Chair states south of Harbor Park where the statute of Christopher Columbus is.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

9. Payment of all City bills when properly approved.

Councilman Thomas J. Serra reads and moves for approval the payment of all City bills when properly approved. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska; 1 nay votes by Councilman David Bauer and 1 absent by Councilman James Streeto. The Chair states the matter carried with 10 affirmative votes, 1 in opposition and 1 absent.

10. Resolutions, Ordinances, etc.:

A. Approving the Planning and Zoning Commission appointment as the Middletown Municipal Preservation Board to serve until June 30, 2016.

**(Postponed to August 3, 2015 and
Referred to General Counsel Commission)**

Resolution No. 71-15

File Name ccpreservationboard

Whereas, Connecticut State Statute Sec. 10-321q establishes the criteria of a Municipal Preservation Board, and

Whereas, Connecticut State Statute Sec. 10-321q also designates the legislative body of the municipality as the appointing authority, and

Whereas, Ordinance 174-1 already enumerates the duties of the Planning and Zoning Commission for historic preservation in the City.

Now Therefore be it Resolved, the seven members of the Planning and Zoning Commission are appointed as the Middletown Municipal Preservation Board to serve until June 30, 2016, and

Be it further Resolved that this Resolution be communicated to the State Historic Preservation Board upon passage of this Resolution.

Councilman Bauer moves for approval the Planning and Zoning Commission appointment as the Middletown Municipal Preservation Board to serve until June 30, 2016. Councilman Giuliano seconds the motion.

Councilman Sebastian N. Giuliano moves to postpone this to the August meeting; it is seconded by Councilwoman Mary A. Bartolotta. Councilman Giuliano states he would like to have General Counsel Commission review Counsel's answer to the legal questions that were raised.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; Councilman James Streeto is absent. The Chair states the matter carried with 11 affirmative votes, 1 absent. The Chair states it will come back in August once the General Counsel Commission reviews this.

B. Approving amending the job description for the position of Firefighter to allow acquiring the Emergency Medical Technician certification within one year of graduation from the Connecticut Fire Academy Recruit Firefighter Program to help broaden recruitment efforts.

(Approved)

Resolution No. 72-15

File Name Gccfirefighter2015substituted4-20for7-1

Whereas, the job description for the position of Firefighter, (\$38,216 - \$68,577) Middletown Professional Firefighters – Local #1073 was revised in January 2012; and,

Whereas, the City of Middletown wishes to broaden its efforts to recruit Middletown residents into its fire service; and,

Whereas, the current job description requires interested parties to carry Emergency Medical Technician (EMT) certification at time of application; and

Whereas, it is believed that this requirement is an impediment to achieving the recruitment goals of the department.

Now Therefore, Be It Resolved By The Common Council Of The City Of Middletown: That the revised job description for the Firefighter position, with no change in salary, is hereby approved.

City of Middletown, Connecticut
Position Description

Title:	Firefighter	
Department:	Fire	
Date:	January -2012 Revised	<u>Revised June 2015</u>

Purpose of Position
Responds to fire alarms and other emergencies to safeguard life and property; performs a variety of duties in response to medical emergencies, rescue operations and in the control and extinguishment of fires; administers first aid; participates in overhaul operations and other service related activities; maintains fire department buildings, quarters, and equipment; conducts fire safety checks and inspections. Receives general supervision from the Fire Chief and direct supervision from a superior officer of the Fire Department who assigns duties and reviews for proper performance.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Answers fire alarms and fights fires to safeguard life and property; and is subject to call back for emergencies when off duty.
- Operates all firefighting equipment and facilities as assigned.
- Maintains interior and exterior of fire house in clean orderly condition.
- Cleans and maintains firefighting equipment.
- Performs other related functions as assigned or required.

Minimum Training and Experience Required to Perform Essential Job Functions

Must have a High school diploma or certificate of equivalency; must have a valid motor vehicle operator's license; must be a citizen of the United States; must be 18 years of age or older; must have the ability to obtain Emergency Medical Technician (EMT) certification at time of application within first one year of hire after graduation from the Connecticut Fire Academy Recruit Firefighter Program and must maintain EMT certification as a condition of employment; must be a non-smoker on duty for duration of employment.

Physical and Mental Abilities Required to Perform Essential Job Functions
Language Ability and Interpersonal Communication

- Requires the ability to acquire knowledge of approved principles, techniques and practices of firefighting, and specialized rescue theories and equipment.
- Requires the ability to learn fire prevention and firefighting routines.
- Requires the ability to carry out orders as assigned.
- Requires the ability to think quickly and to act effectively in emergency situations.
- Requires the ability to read and comprehend written instructions such as hazardous material information.
- Requires the ability to communicate effectively with the public and to be an effective team player.

Physical Requirements

- Requires the ability to swim.
- Requires the ability to do prolonged heavy manual and mechanical work under adverse conditions.
- Requires the ability to drive and operate a variety of fire equipment and to obtain proper Connecticut State License.
- Requires the ability to operate water hose, tools and other fire equipment.
- Requires the ability to wear self-contained breathing apparatus, and the ability to abide by all OSHA respiratory standards.
- Requires the ability to lift and/or carry weights over 120 pounds for safety purpose.
- Requires the ability to climb stairs and ladders; and be able to maneuver into small tight spaces.
- Requires the ability to work at or around high rise structures.
- Requires the ability to obtain a State of Connecticut CDL-B or Q Endorsement.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Councilwoman Mary A. Bartolotta reads and moves for approval amending the job description for the position of Firefighter to allow acquiring the Emergency Medical Technician certification within one year of graduation from the Connecticut Fire Academy Recruit Firefighter Program to help broaden recruitment efforts.. Councilman Gerald E. Daley seconds the motion.

Councilman Serra states he is annoyed at the presentation of this. It was a shallow, hollow, misdirected, ill-advised presentation but very important resolution. I say that annoyed. It will surprise all of you that I will support this but it should not have been presented as it was presented. The shallow hollowness of this with shell mandates and no agreements with the Unions, this is shallow and hollow. The key is the ability to obtain and from my career in the technological high school, the ability to obtain was flexibility to us being an administrator if you wanted to be certifiable, we had a number of excellent candidates come out of the program with the ability to obtain. I will be supporting this but it was presented ill-advised. There should have been statistics and documentation showing need; very specifically so that we know exactly what we are doing here. Yes, annoyed, but it is a process we used and it was very successful for coaches and teachers. The aggravation of the presentation will not make me not support this and I will support it in spite of this.

Councilwoman Russo Driska states she will support it but she wants to make points. The hiring process and lack of vision of the needs is disappointing. There is no statistics proven; regarding the Union process, when I was employed by the City I was active in the leadership of the Union. I would never have brought something forward without the consensus of the Union, but the President says he speaks for them, so he will take him on his word. I hope we will offer conditional employment for a year and if they don't get it in a year, they will be terminated. I can see this extending and she would like to see it put into place and after several months or a year of this in place, I would like to see the numbers to see if in fact we have broaden our base and brought in the minorities. It is sad we had to do this to recruit those minorities; I think they have been out there and we could have been recruiting them and helping them along. I will support this because they claim this is the tool they need and give them the tool and I hope they succeed.

Councilman Giuliano states he will also support this. From the discussion he heard, we are going back to a practice we have operated under for many years and none of the fears occurred while we were doing this and I don't see them happening now. Another thing we do by requiring the EMT certification as a condition of hire, you limit the pool to current firefighters or maybe ambulance personnel. That is really restricting the number of people. My memory serves me this was raised at the June, 2014 when the candidates for Deputy and Chief were answering questions from the Council. Deputy Chief LaRosa brought this up. I am somewhat disappointed this wasn't brought forward sooner. He heard a complaint that we lost a recruit because of it. It seems that many directors, not just this one, bring something before the Council at the last minute and expect their failure to plan becomes our emergency. I am tired of that. We need to work on these things sooner. The Council process is slow by design and that has to be taken into account when anybody wants something. He would like to move away from that way of doing business and move to a way more responsible. He will support this.

Councilwoman Kasper is recognized. She states she will not be supporting this. I received many calls from different segments of the community asking me not to vote for this and they feel having EMT at hire is a good one to ensure the most qualified person at their door if they call. I believe there may be an issue with diversify this and I propose we have a program that provides training and let them get certified prior to application and I feel we should explore that. Councilman Faulkner states he will support this; I stated that last month and reiterate that opening access is something we should be doing if we are committed to our word and policies. I hope this wakes us up and as several people have alluded to this should have been taken up a while ago. This is a good time to review our processes in personnel and HR as well as Police and fire. I think it is good what we are doing, but I am disappointed about the way it has come about.

Councilman Daley states he will support this. It is the right way to go. This is really just returning to the way we did it prior to 2012. I know of residents who were dissuaded from applying because we had EMT certification and had to have been through the fire academy. Middletown residents didn't feel they could enter the Fire Service because they couldn't afford a way to get fire academy completion or the EMT certification prior to being hired. This remedies that. The other thing to point out is to get your EMT certification, you have to be actively using it. If you are no longer a firefighter, you can no longer hold that EMT certification. That's the distinction between EMT Certification and some other certification. Many have CDL licenses and don't actively use it in employment. The questions to directors had a lot to say and I feel it is important to address some of the questions raised by Councilwoman Kasper and why she is going to vote against it. We have been assured by the Fire Chief and the Union President that this change in job requirements does not diminish the service level provided by the Middletown Firefighters. There will be at least 2 EMTs that respond. If there is misinformation out there, but we have a responsibility as leaders to correct the misperceptions out there, not to foster them. I think in some cases we don't fulfill that responsibility. We are not putting the health and safety of Middletown community members at risk. Their lives depend on having qualified people working beside them. I will support this and urges everyone to do so.

Councilwoman Bartolotta states she will support the change; it is a positive one. It is going back to the way it was done before for many reasons. One is diversity and two is to make sure it is the most efficient hiring process we can have. I also wanted to clear up about South Fire having a waiting list and the EMT qualification. The EMT part of it is part of the hiring process and the last process they went to only two passed and there is no waiting list. In the City district everyone has to be EMT. South Fire District, that is not true; anybody hired before a certain date doesn't have to be EMT and

they go out on calls with those with the certification. It has worked. She has nothing but praise for the South Fire District. She asks everyone to vote yes because it is a positive change.

Councilman Chisem states he will support this as well. It is a good idea to have a pool of diverse people and as my colleagues said it is to have a good pool and have confidence in the Chief; he has done a professional job. Councilman Santangelo will support his as well. He heard what was said and it is interesting to hear it is a radical change. It is just returning to a practice the fire department has used for many years. Middletown residents will be safe; trucks will go out with a minimum of two EMT's. He will support this and we should all go along with it and vote yes.

The chair calls for the vote. It is 10 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 1 nay votes by Councilwoman Hope P. Kasper and 1 absent by Councilman James Streeto. The Chair states the matter carried with 10 affirmative votes, 1 in opposition and 1 absent.

C. **Amending the minimum training and experience for the School Nurse Position job description to add school and community health nursing and experience dealing with complex medical needs preferred to help broaden recruitment efforts.**
(Approved)

Resolution No. 73-15
File Name GccSchool NurseJd2015

Whereas, the job description for the position of School Nurse, Maximus Salary Grade 10 (\$22.80 - \$33.74), 40 hours per week, having membership in Local #466 AFSCME, was revised in May 2011; and,

Whereas, the City of Middletown wishes to expand the pool of candidates for the school nurse position during times of recruitment; and,

Whereas, in recognition of the professional changes and requirements within the school nurse profession; now therefore,

Be it resolved by the Common Council of the City of Middletown that the revised job description for the School Nurse position, with no change in salary, is hereby approved.

City of Middletown, Connecticut
Position Description

Title:	School Nurse		
Department:	Board of Education		
Date:	Revised August 2010	May 2011	Grade 10
	<u>Revised: June 2015</u>		

Purpose of Position

The purpose of this position is to provide health care services for students in the school setting including transportation; maintain student health records according to state regulations; perform health screenings; maintain health and welfare of student. The work is performed under the direction of the Director of Pupil Personnel Services and Special Education.

Essential Duties and Responsibilities

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Provide professional development
- Collect, prioritize documents and evaluate student health information during student visits to the health office and in emergency situations, according to established policy, guidelines and protocols.
- Use an established data collection system in an organized manner.
- Provide health care services for the students to manage illness, injury and health conditions/problems whether acute, chronic, episodic or emergent.
- Recognize the educational implications of health concerns or problems for the students.
- Conduct appropriate health screenings (i.e. vision, hearing) and make referrals to health care professionals as needed.
- Serve as case manager for students with health needs.
- Develop and implement individualized health care and emergency care plans within the appropriate educational program (regular education, Section 504 and special education.)
- Document nursing interventions in the appropriate health records according to school district policies and procedures.
- Act as a health resource for teachers, administrators and relevant others.
- Provide consultation to school personnel and family members regarding the health and safety of students and relevant health problems.
- Use technology (assistive, informational and medical) to effectively manage school health programs.
- Communicate and collaborate with the interdisciplinary team regarding the health and safety of the students.
- Participate in student PPT and 504 meetings
- Ride the bus to and from school if required.
- Maintain classroom standards and collaborate with the school/family team.
- Other responsibilities as determined by the Director of Pupil Personnel and Special Education.

Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in Nursing with three (3) years of current pediatric, ~~(within the past two years)~~ school or community health nursing in a health care or educational setting; or, any combination of education and experience that provides equivalent knowledge, skills and abilities. Experience dealing with complex medical needs preferred. Position requires current Connecticut Registered Nurse License, CPR certification and the possession of a valid Connecticut driver's license.

Physical and Mental Abilities Required to Perform Essential Job Functions
Language Ability and Interpersonal Communication

- Requires the ability to perform mid-level data analysis including the ability to audit, deduce, assess, conclude and appraise. Requires discretion in determining and referencing such to established criteria to define consequences and develop alternatives.
- Requires the ability to provide first line supervision. Ability to persuade, convince, and train others. Ability to advise and provide interpretation regarding the application of policies, procedures and standards to specific situations.
- Requires the ability to utilize a variety of reference, descriptive and/or advisory data and information such as student health records, supply requisitions, medication forms, accident forms, surveys, screening referrals, eligibility lists, drug handbooks, medical dictionary, OSHA manuals, procedures, guidelines and non-routine correspondence.
- Requires the ability to communicate orally and in writing with the Director of Pupil Personnel and Special Education, students, parents, teachers, principals, administrators, physicians, paraprofessionals, social workers, psychologists, therapists, guidance counselors, pharmacists, speech pathologists, café and custodial personnel, psychiatrists and the public and to collaborate effectively with trans and inter disciplinary teams.
- Requires the ability to create and implement regular and emergency health care plans.

Mathematical Ability

- Requires the ability to perform addition, subtraction, multiplication and division; calculate percentages and decimals; may require the ability to perform mathematical operations with fractions and algebra.

Physical Requirements

- Requires the ability to operate, calibrate, tune and synchronize, and perform complex rapid adjustment on equipment, machinery and tools such as a computer and other office machines, nursing/medical equipment, screening equipment, medical supplies and/or related materials used in performing essential functions.
- Requires the ability to coordinate eyes, hands, feet and limbs in performing coordinated movements such as providing nursing care.
- Tasks involve the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and pulling of objects weighing five to ten pounds.
- Requires the ability to recognize and identify similarities or differences between characteristics of colors, shapes and sounds associated with job-related objects, materials and tasks.

Environmental Adaptability

- Ability to work under generally safe and comfortable conditions where exposure to environmental factors poses a limited risk of injury. May be exposed to illnesses or disease.

The City of Middletown is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the City will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

Councilman Gerald E. Daley reads and moves for approval Amending the minimum training and experience for the School Nurse Position job description to add school and community health nursing and experience dealing with complex medical needs preferred to help broaden recruitment efforts.. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

D. Approving the Health Department’s Public Health Block Grants for fiscal year 2015 - 2016 in the amount of \$123,300 as listed in the resolution.
(Approved)

Resolution No. 74-15
File Name hepublichealthblock15-16

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Health Department requests that the \$123,300 Public Health Block Grant (FY 15/16) be allocated as follows:

<u>Agencies</u>	<u>Amount</u>
Women and Family Centers	\$10,000
Community Renewal Team Inc. (Summer Food)	\$10,000
Community Renewal Team Inc. (Head Start)	\$ 9,500
Gilead	\$ 2,500
St. Vincent DePaul (Warming Center)	\$20,000
Middlesex Hospital (Opportunity Knocks)	\$ 2,500
Middlesex Hospital (iCARE)	\$ 2,500
Russell Library	\$10,500
Neat Kids Market	\$ 5,000
Ryan Woods	\$ 4,300
YMCA	\$ 2,000
Holy Trinity Church	\$ 1,000
WESU/Green St Teaching and Learning Center	\$ 3,000
New Horizons Battered Women’s Shelter	\$22,500

Communicable Disease Surveillance	\$18,000
TOTAL	<u>\$123,300</u>
Fiscal Impact: There is no new fiscal impact; the \$123,300 is budgeted for FY15/16.	

Councilman Grady L. Faulkner, Jr. reads and moves for approval the Health Department's Public Health Block Grants for fiscal year 2015 - 2016 in the amount of \$123,300 as listed in the resolution.. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 1 nay votes by Councilman James Streeto and 0 absent by no one. The Chair states the matter carried with 11 affirmative votes, 1 in opposition and 0 absent.

E. Approving standardizing the HVAC maintenance systems throughout the City with BG Mechanical with monitoring of costs and a review of cost, performance and efficiency within three years.

(Approved)

Resolution No. 75-15

File Name pwBGmechanicalStandard

Whereas, the Middletown Public Works Department has been using the services of BG Mechanical for several years and wishes to standardize with this company for the maintenance of HVAC systems throughout the City; and

Whereas, the company currently understand the intricacies of the Municipal Building, City Yard, Green Street Arts Center and the Emergency Management Building due to their installation or service of HVAC equipment at these locations; and

Whereas, the department is extremely satisfied with the services and indicates that due to their knowledge and familiarity of the HVAC equipment in each building, savings are realized due the reduced time necessary to troubleshoot various problems, thereby saving the City money on hourly labor costs; and

Whereas, having a number of buildings under one maintenance contract encourages a prompt response by the company once problems are reported; and

Whereas, the Standardization Committee met on Friday, June 26, 2015, and unanimously approved to standardize with BG Mechanical.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the standardization of services with BG Mechanical is hereby approved for the utilization by all City departments; and

BE IT FURTHER RESOLVED: That this action will be monitored and revisited within three years to determine cost effectiveness, efficiency and productivity.

Councilman Carl R. Chisem reads and moves for approval standardizing the HVAC maintenance systems throughout the City with BG Mechanical with monitoring of costs and a review of cost, performance and efficiency within three years.. Councilman Robert P. Santangelo seconds the motion.

Councilman Faulkner states we need to raise concerns about the many waivers we are giving and we are not running away any competition on these especially when we acquire assets with one person who can maintain them.

Councilwoman Bartolotta states she did ask this question at Finance and Government and this HVAC system they are within the realm of cost factor and they know our systems and it tends to cost less because of that. The statements made by the Director made sense to her.

Councilman Giuliano wants to know if it went to Standard. The response is it did and they did approve it.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

F. Approving the Bulky Waste Budget for fiscal year 2015 - 2016 in the amount of \$445,000 expenditures and revenues.

(Approved)

Resolution No. 76-15

File Name pwbulkywastebud15-16

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the Bulky Waste Fund budget for the Fiscal Year 15-16 be approved as follows:

Expenditures:

Repairs/Maintenance to Vehicles	\$20,000
Motor Vehicle Parts/Supplies	\$20,000
Bank Service Fees	\$10,000
Waste Removal	\$260,000
Oil Recycling	\$1,500
Mattress Recycling	\$4,500
Tire Recycling	\$5,000
Waste Equipment Supplies	\$30,000
Site Improvements	\$40,000
Truck Rental/Lease	\$4,000
Contractual Services	<u>\$50,000</u>
Total Expenditures	\$445,000

Revenues:

Scale Receipts	\$225,000
Cardboard Recycling	\$15,000
Paper Recycling	\$11,000
Scrap Metal Recycling	\$18,000
Gift Cards Receipts	\$1,400
Roadside Bulky Waste Revenue	\$16,500
Interest Earned	\$1,000
Transfer from General Fund	\$30,000
Bulky Waste Contribution from Fund Balance	<u>\$127,100</u>
Total Expenditures	\$445,000

Councilman Carl R. Chisem reads and moves for approval the Bulky Waste Budget for fiscal year 2015 - 2016 in the amount of \$445,000 expenditures and revenues.. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

G. Approving amending Section 285-17 Parking Lots and Meters of Chapter 285 of the Middletown Code of Ordinances to offer a grace period after the purchase of metered time instead of an hour of free parking and to change the fee for special event parking to not exceed \$20.

(Approved)

Ordinance No. 14-15

File Name 285-17parkingrateordinance7-15final

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Section 285-17 of the Middletown Code of Ordinances be amended as follows:

§ 285-17 Parking Lots and Meters.

[Added 6-6-1988]

A.

Hours meters to be in operation; curb meters. Curb parking meters shall be in operation for curb parking spaces every day, except Sundays and legal holidays, from 10:00 a.m. to 6:00 p.m. prevailing time.

[Amended 11-1-2004 by Ord. No. 13-04]

B.

Parking lots; hours parking in lots prohibited. Where existing, parking lot meters shall be in operation for parking lot spaces every day except Sundays and legal holidays.. The Director of Parking, in his/her discretion, may amend the hours of operation of the parking lots. Upon amendment of the hours of operation corresponding signage changes which inform the public of the change must be implemented. The parking lots are hereby designated as follows:

[Amended 10-5-1998; 10-6-2003; 12-6-2010 by Ord. No. 85-10]

(1)

Lot A is located at the corner of Washington Street and Broad Street.

(2)

Lot B (a.k.a Main and Liberty St. Lot) is located on Main Street at the corner with Liberty Street.

(3)

Grand Street Annex Lot is located at the corner of Main Street and Grand Street.

(4)

Broad Street Russell Library Lot is located directly across from the Russell Library.

(5)
Government Square Municipal Garage (a.k.a. Court Street, Arcade or Riverview Lot

(6) Kings Avenue Lot off Kings Avenue and Main Street

(7)
Melilli Plaza Lot is located between Washington Street and (Lower) Court Street.

(8) Green Street Lots A&B off Green Street

(9) Harbor Park and River Road Lots

C.

Coin to be deposited in meter when vehicle parked in space. When any vehicle shall be parked in any parking space alongside or next to which a parking meter is located, the operator of such vehicle shall deposit or cause to be deposited in the meter such proper coin as is designated by proper direction on the meter and set the parking meter in operation.

D.

Registration prima facie evidence of name of violator. In any prosecution or proceedings hereunder, the registration plate or license plate displayed on a motor vehicle shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

E.

Violations; overtime parking.

(1)

No owner or operator shall cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked overtime, whether on a highway or in a parking lot, as is allowed by a meter or sign.

(2)

Whenever a vehicle remains in a parking space for a period of one hour after being cited for a violation of this Code of Ordinances it may also be cited additionally each one-hour period for overtime parking and the violator shall be subject to fines and penalties as provided for in this Code of Ordinances.

F.

Deposit of additional coins. No person shall deposit in any parking meter any coin for the purpose of parking beyond the maximum legal parking time for the particular parking meter zone.

G.

Improper parking. No person shall park any vehicle, whether on a highway or in a parking lot, across any line designating a parking meter space or nonmetered space. The vehicle shall be in such position that it is entirely within a space designated by such lines or markings. Vehicles parked on Main Street shall be positioned within the lines so that the right front wheel shall be within a distance of not more than 12 inches from the curb. In addition, no vehicle shall be parked so that the vehicle is backed into the stall, whether on a street with diagonal parking stalls or in a parking lot. No person shall park any vehicle in front of, or so as to obstruct or interfere with the ingress to or egress from, any private driveway or alley, except with the permission of the owner of such driveway or alley.

H.

Tampering, etc. with meters and/or signs. No person shall deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter and/or sign.

I.

Depositing slugs. No person shall deposit or cause to be deposited in any parking meter any slug, device or metal substance or other substitute for lawful coins.

J.

Enforcement; report required. It shall be the duty of the Police Department and its officers and any other legally appointed person to enforce this section for the parking of a vehicle, using the facilities of the Parking Department. It shall be the duty of enforcing officers to issue a ticket with the following information to report the following:

(1)

The number of the parking meter which indicates that the vehicle occupying the parking space is or has been parking in violation of any of the provisions of this section.

(2)

The state license and registration number of such vehicle.

(3)

The date and time such vehicle is parked in violation of this section.

(4)

Any other facts concerning such violation.

K.

Notice to be attached to vehicle parked in violation; contents of notice. The enforcing officer as provided in Subsection J shall attach to such vehicle a notice containing the information required by Subsection J, addressed to the owner or operator thereof, that such vehicle has been parked in violation of parking rules and regulations and shall instruct such owner or operator that payment of such sum or sums as prescribed on such notice shall be made either by mail or in person within 14 days to the Parking Department or to such person and place as may be designated on such notice. Any disputes with respect to said notice must be made to the Parking Department within five days of the date on the notice.

L.

Rates.

[Added 10-6-2003; amended 5-7-2007 by Ord. No. 06-07; 6-4-2007 by Ord. No. 11-07; 12-6-2010 by Ord. No. 85-10]

(1)

Street Side Parking Meters: \$1.00 per hour, \$0.20 for 12 minutes, \$0.10 for six minutes; maximum of three hours, per day.

(2)

Metered Lots:

- a) All Individual Space/Stall Meters or Self-Service Multi-Space Meters Within Any Publically Utilized, Administered or Municipally Owned Lot:
 - i. Lot A (Washington & Broad Street) \$1.00 per hour, maximum of 10 hours per day
 - ii. Government Square Municipal Garage (a.k.a Court Street, Arcade or Riverview Lot) \$1.00 per hour,
 - iii. Melilli Plaza Lot (Melilli Plaza Drive) \$1.00 per hour
 - iv. Lot B (a.k.a Main & Liberty Street Lot) \$1.00 per hour, maximum of 3 hours per day
 - v. Grand Street Annex Lot (Main & Grand Street) \$1.00 per hour, maximum of 3 hours per day
 - vi. Broad Street Russell Library Lot \$1.00 per hour, maximum of 3 hours per day
 - vii. Kings Avenue Lot (Kings Ave) \$1.00 per hour, maximum 10 hours per day
 - viii. Green Street Lot (A &B) \$1.00 per hour, maximum of 3 hours per day
 - ix. Harbor Park and River Road Lots \$1.00 per hour, Maximum of 3 hours per day
- b) Publically Utilized, Administered or Municipally Owned Lots:
 - i. should offer a grace period after the purchase of metered time for all stalls/spaces within a municipal lot to support and encourage commerce and utility by patrons. The feasibility and length of any such grace period, , , will be determined by the City Parking Department;
- c) Patrons of Publically Utilized, Administered or Municipally Owned Lots, who either park beyond their purchased time will receive a parking violation/citation for overtime parking through the enforcement of the Parking Department.
- d) All other City or State time, place and manner restrictions of parking and any associated fees and penalties apply and are enforceable within all publically utilized, administered or municipally owned lots.

(3) Permit Parking Programs:

- a. Commerce Parking Permits: City commerce parking permits may be sold for usage in any municipal lot or municipal garage to support commerce and utility as deemed necessary and feasible by the Director of Parking or his or her designee. Permits may be purchased monthly, quarterly or annually.

- x. Purchase of commerce program parking permits will be \$75 per month, \$225 Quarterly or \$900 annually, per permit;
- xi. Commerce permit issuance is not to exceed 15% of a specific lot's capacity so as preserve municipal lot or municipal garage availability for the general public.
- xii. Commerce program parking permits must be clearly displayed within the vehicle for each appropriate, assigned or limited parking area. Permits issued will be for a specific lot only and cannot be used for another lot. The Parking Department's office will issue Quarterly, Annual, or monthly permits and collect the applicable fee for the above-listed lots.
- xiii. The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations
 - b. Overnight Visitor Parking Permits: Overnight visitor parking will be permitted in locations and lots as determined by the Director of Parking or his or her designee or unless otherwise prohibited by posting. All overnight visitor parking must be by pre-issued permit only by the Parking Department. Permits are not transferrable between registered vehicles.
 - i. Visitor overnight parking permits can be issued for no more than 7 consecutive calendar days.
 - ii. Overnight visitor permits are valid for 8PM to 8AM. Overnight visitor parking permits will be sold through the City's Parking Department for \$10.00 per registered vehicle per evening.
 - iii. The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations.
- c. Downtown Residential Parking Permit Program: Downtown Middletown residents may obtain downtown resident parking permits from the Director of Parking or his or her designee.
 - i. Quarterly permits will be sold for \$150 per permit or annually for \$600 with one-time advance annual payment.
 - ii. Downtown resident parking permits may be sold for usage in specific municipal lots or municipal garages to support downtown residential parking needs and utility as deemed necessary and feasible by the Director of Parking or his or her designee.
- iii. Downtown resident parking permits must be clearly displayed within the vehicle for each appropriate, assigned or limited parking area. Permits issued will be for a specific lot only and cannot be used for another lot.
- iv. Downtown resident parking permit issuance is not to exceed 15% of a specific municipal lot's capacity so as preserve municipal lot or municipal garage availability for the general public. If the 15% cap is to be exceeded, such determination must be made by the director of parking and must be reported to the parking advisory committee and must obtain approval from the mayor and by approved resolution from the common council
- v. To be eligible for this program an individual must be a downtown resident as defined as an individual living within the downtown parking district.
- vi. In order to obtain a permit, the individual must present their valid driver's license and valid vehicle registration
- vii. The City through the Parking Department reserves the right to revoke any issued permit for abuse, fraud or violation of applicable Connecticut State Statutes or any City parking ordinances or regulations
- d. Prohibition on Permits for Commercial Vehicles: vehicles used for commercial purposes, or any vehicle which is larger than 21 feet in length, 7 feet in width, and 7 feet in height and which have more than 2 single-tired wheels on the front axle and more than 2 single-tired or double-tired wheels on the rear axle, are not eligible for parking permits. Motor trucks, luxury limousines, motor buses, motor delivery wagons, trailers, semitrailers, camping trailers, motor homes, mobile homes and tractors are not eligible for parking permits.

(4) Exemptions to Rates:

- a) Rates shall not apply during times of emergency parking bans, winter snow bans, special events as designated by the City or as deemed administratively necessary by the Parking Department.
- b) Other parking contracts for permit parking as negotiated by the City may override specific lot permit fees.

[Amended 12-5-2011 by Ord. No. 23-11]

(5) Special Event or Flat Rates:

The Director of Parking or his or her designee, upon written approval from the Mayor, may set flat fees for special event parking, designated lot location parking or special evening flat fees on an as needed basis. Any such flat fee determination for a specific event, location or duration of time is not to exceed \$20.00 without the approval of the City Council.

[Added 10-6-2003]

[Added 10-6-2003; amended 12-6-2010 by Ord. No. 85-10]

Workforce parking program: program provides for discounted parking permits for employees of the downtown area for pre-qualified employees earning less than \$31,000/year (adjusted income) as verified upon presentation of payroll documentation from an individual's place of employment to the Parking Department, \$2.50 per shift (up to eight hours). Discounted permit fee will be 50 per month for qualifying employees per day at designated off-street parking locations.

[Added 12-6-2010 by Ord. No. 85-10]

Councilwoman Mary A. Bartolotta reads and moves for approval amending Section 285-17 Parking Lots and Meters of Chapter 285 of the Middletown Code of Ordinances to offer a grace period after the purchase of metered time instead of an hour of free parking and to change the fee for special event parking to not exceed \$20.. Councilman Gerald E. Daley seconds the motion.

Councilman Giuliano states he will support this; he was prepared to make a motion to amend to extend the hours of enforcement to 8 p.m. and that won't happen without the Parking Advisory Committee and Downtown Business district weighing in on it so he will take half the loaf now with the assurance of the director that he will look into it. Councilman Faulkner we should incentivize people to park in the lots instead of the street. I thought that was the intent for the most part. They should review that. The Chair states you have stated your desire to have the committee look at certain things. He is confident that both those considerations will be brought before the committee.

The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

- H. **Approving amending portions of Chapter 120. Building Construction to add to Section 120-20 Blighted Premises; to delete the current Section 120-24 and renumber Section 120-25 to 120-24 and add language regarding curbside pickup of trash; to renumber Section 120-26 to 120-25 and to amend language regarding the creation or maintenance of blighted premises prohibited; to renumber Section 120-27 to 120-26; and to renumber Section 120-28 to 120-27 and to amend the language regarding expenses incurred and foreclosure.**

(Approved)

Ordinance No. 15-15

File Name Sec120-18 – 120-28BlightBCSandKTW

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the below portions of Chapter 120 of the Middletown Code of Ordinances be amended and revised as follows:

Chapter 120

§ 120-18
Declaration of policy.

It is found and declared that there exist within the City properties with, and without, residential and nonresidential structures that are substandard with respect to structural integrity or maintenance or are blighted. It is further found that certain conditions causing these structures to be substandard or blighted adversely affect the economic well-being of the City and are harmful to the health, safety and welfare of City residents. These conditions include, but are not limited to the following: structural deterioration, lack of maintenance, blight, infestation, fire hazards, accumulating refuse on private property, storage of two or more unregistered vehicles (junkyard) and unsanitary conditions. It is further found that certain of these substandard or blighted structures can be repaired, rehabilitated, reconstructed or reused so as to provide decent, safe and sanitary housing and commercial facilities, thereby eliminating, remedying, and preventing the adverse conditions described above. It is further found that the lack of maintenance and progressive deterioration of certain structures create blight and initiate slums, and that if the same are not curtailed and removed, these undesirable conditions will grow and spread, necessitating future expenditures of large amounts of public funds to correct and eliminate.

§ 120-20
Definitions.

For the purposes of this article, the following words and terms shall mean as follows:

ABANDONED PROPERTY

Any real property on which there is a vacant structure, or no structure, and on which:

- A. Real property taxes have been delinquent for one year or more and orders have been issued by the City's Fire Marshal, Building Official or Health Director and there has been no compliance with those orders within the prescribed time given by such official or within 90 days, whichever is longer; or
- B. The owner has declared in writing to the Building Official that his property is abandoned.

ABANDONED VEHICLE

Any unregistered, inoperable car, truck, aircraft, camper, motorcycle or moped, recreational vehicle (e.g., golf cart, snowmobile, water sled, all-terrain vehicle, etc.), boat or other watercraft, tractor, cart, trailer, riding mower, or farming or construction equipment, whether self-propelled or towed. It shall be a defense that the vehicle is not abandoned if it is currently registered with a state or federal licensing agency, such as a department of motor vehicles, or other agency that licenses the particular type of vehicle. "Inoperable" shall mean that the vehicle is no longer being used for its intended purpose evidenced by two or more of the following conditions:

- A. Engine no longer starts or is missing;
- B. Missing or flat tires or wheels, or other missing parts necessary for locomotion;
- C. Missing doors or windows;
- D. Close proximity of grass or other vegetation or debris, indicating immobility;
- E. Holes, rust, or other evidence of obvious physical decay or neglect, lack of maintenance or excessive use; or
- F. Use for another purpose (e.g., storage).

ACCUMULATING REFUSE

Refuse that accumulates on any private premises and is not completely contained within trash or refuse storage bins, racks or enclosures, or other containers that are approved by the City for such use.

BLIGHTED PREMISES

Any building or structure, or any portion of a building or structure that is a separate unit, regardless of whether the same is vacant or occupied, or any accessory structure or fence, or any vacant parcel of land, in which at least one of the following conditions exist:

- A. **It is determined** by the City that existing conditions pose a serious or immediate danger to the health, safety or welfare of any person.

The property is not being maintained so that it reflects a reasonable level of maintenance in keeping with the standards of the community and not constituting a blighting factor for adjoining property owners, or an element leading to the progressive deterioration of the neighborhood. The following factors may be considered in determining whether a building or any structure on the property is not being maintained: missing, broken or boarded windows or doors; a collapsing or missing wall, roof, floor, stairs, porch, railings, basement hatchways, chimneys, gutters or awnings; siding that is seriously damaged, missing, faded or peeling; fire damage; a foundation that is structurally faulty; the outside structure walls having any holes, loose boards, or any broken, cracked or damaged siding that admits rain, cold air, dampness, rodents, insects or vermin; or that the outside of the property is not otherwise being maintained in accordance with the standards set forth in this chapter. Vacant buildings must be boarded up as required by the Building Code. In addition, for any building that is vacant for more than two months, the plywood used to board up the openings must be painted in a color to match the building.
- B. The property is becoming dilapidated, deteriorated and is a factor that is materially depreciating property values in the neighborhood.

- C. The exterior or areas exposed to public view of commercial, industrial or residential properties are not being kept free from deterioration or are not in a good state of repair. Maintenance of the outside of the property shall include, without limitation, the following:
 - a. All surfaces shall be maintained free of broken glass, crumbling stone or brick or other conditions reflective of deterioration or inadequate maintenance.
 - b. The property shall be kept litter free. Garbage, rubbish, refuse, putrescible items or trash shall not be improperly stored or accumulated on the premises.
 - c. Every building shall be maintained as to be weather and watertight.
 - d. The maintenance and appearance of the grounds and yards of premises shall be such that they reflect the level of upkeep of surrounding premises and properties. This shall include, but not be limited to, grass that has been allowed to go to seed or grown to a height of more than eight inches, severely overgrown bushes and trees, dead trees, or any vegetation of any nature which encroaches on streets, sidewalks, or any other part of the public domain.
 - e. There shall be no graffiti on any buildings or structures.
- D. The property is a fire hazard as documented by the Fire Department.
- E. The property is attracting illegal activity as documented by the Police Department.
- F. The property provides rodent harborage or infestations, as documented by the Health Department.
- G. The property contains abandoned vehicles, abandoned property or boats.
- H. Storage requirements. All equipment or other materials stored on the property must be free from rust and in good working order. Abandoned appliances, automobile parts, discarded household items and piles of rotten lumber are prohibited from being stored on the property. Equipment and material stored outside shall be stacked or arranged in an orderly fashion in a location providing reasonable screening from neighbors and adjoining streets.

DETERIORATION

The condition of a building or part thereof, characterized by holes, breaks, rot, crumbling, peeling, rusting or other evidence of obvious physical decay or neglect, lack of maintenance or excessive use.

EXPOSED TO PUBLIC VIEW

Any premises or any part thereof, or any building or any part thereof, which may be lawfully viewed by the public.

EXTERIOR OF THE PREMISES

Open space on the premises outside of any building thereon.

EXTERMINATION

The control and elimination of insect, rodents and vermin.

GARBAGE

Also see "refuse," "rubbish"; putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food or the keeping of pets or other animals.

INFESTATION

The presence of insects, rodents, vermin or other pests on the premises, which constitute a health hazard.

JUNKYARD

Storage or parking of two or more unregistered or inoperable motor vehicles.

NUISANCE

- A. Any public nuisance as defined by statute or ordinance.
- B. Any attractive nuisance. An "attractive nuisance" is defined as the presence of any condition which may prove detrimental to the health or safety of children whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to, the presence of abandoned wells, shafts, basements, excavations, refrigerators, vehicles, lumber, and garbage, refuse, rubbish, and any structurally unsound fences or other structures.
- C. Physical conditions dangerous to human life or detrimental to the health of persons on or near the premises where the conditions exist.
- D. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings.
- E. Fire hazards. Any situation, process, material, or condition that can cause a fire or explosion or provide a ready fuel supply to augment the spread or intensity of the fire or explosion and that poses a threat to life or property as determined by the City Fire Marshal or his duly authorized agent.

OCCUPANT

Any person, other than the owner, who occupies a building or premises, or a part thereof, as a tenant or lessee, as a family member of a tenant or lessee, as a guest of a tenant or lessee, or as a trespasser.

OPERATOR

Any person who has charge, care or control of a dwelling or premises, or a part thereof, whether with or without the knowledge and consent of the owner.

OWNER

The record owner of the real property.

PARTIES IN INTEREST

Any person claiming an interest of record pursuant to a bona fide mortgage, assignment of lease or rent, lien, or security in the property.

PREMISES

A lot, plot or parcel of land, including the buildings or structures thereon.

PUBLIC AUTHORITY

Any officer (or his or her designee) who is in charge of any department or branch of the government of the City relating to health, fire, building regulations or to other activities concerning buildings in the City.

PUTRESCIBLE

Liable to undergo decomposition or rotting by bacteria, fungi, and oxidation, resulting in the formation of foul-smelling products.

REFUSE

Also see "garbage," "rubbish"; all putrescible and nonputrescible solid waste (except human body wastes), including but not limited to, garbage, rubbish, ashes, street cleanings, dead animals, excrement from pets or other animals, abandoned automobiles and solid market and industrial wastes.

RUBBISH

Also see "garbage," "refuse"; nonputrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery, and similar materials.

* * *
* * *

§120-24
Duty of owners, operators and occupants relating to curbside pickup of trash.

Where weekly curbside pickup is available, an owner, operator or occupant of a dwelling shall have the duty and responsibility of removing garbage, refuse and rubbish generated by him to the curb on the day curbside pickup is scheduled in closed containers intended for that purpose. Where weekly curbside pickup is not available, an owner, operator or occupant of a dwelling shall have the duty and responsibility to remove garbage, refuse and rubbish generated by him to the place provided by the owner or to arrange with the owner for its transfer for safe and sanitary disposal.

* * *

§ 120-25
Creation or maintenance of blighted premises prohibited; penalties for offenses.

No owner, operator or occupant of real property in the City shall cause or allow any Blighted Premises, as defined in this article, to be created, nor allow the continued existence of such Blighted Premises, nor shall an owner, operator or occupant of real property fail to observe the respective duties of owners, operators and occupants as provided in this article. The Zoning/Wetlands Officer, or its designee, shall receive complaints of properties alleged to constitute Blighted Premises and shall inspect such properties to determine whether they constitute a Blighted Premises.

The violation of this provision shall be punishable by a fine of \$100 per violation for each day such violation continues. Each day any violation of this provision continues shall constitute a separate offense. If the Zoning/Wetlands Officer, or its designee determines that a property constitutes a Blighted Premises, or if the City determines that such property is otherwise in violation of this article, the City shall cause the imposition of said penalty by notifying the owner of such property and shall follow the procedures as set forth in Chapter 98 of the Connecticut General Statutes, including but not limited to Sections 7-148ff and 7-152c, as amended and Section 120-32 of the Middletown Code of Ordinances.

In addition, any condition caused or permitted to exist in violation of any of the provisions of this article shall be deemed a public nuisance. Said nuisance may be abated by the City as provided by law, and each day that such condition continues shall be regarded as a new and separate offense and shall be deemed to be an infraction.

In accordance with Section 7-148(c)(7)(H)(xv) of the Connecticut General Statutes, as amended, the City may authorize designated agents, including, without limitation, members of the Public Works Department, the Health Department, the Fire Department and the Planning and Zoning Department, to enter the Blighted Premises during reasonable hours for the purpose of remediating the blighted conditions, provided that such agent(s) shall not enter any dwelling house or other structure so existing on a Blighted Premises without proper authorization. The City shall then assess the cost for such remediation upon the owner or operator of the Blighted Premises.

* * *

§ 120-26
Code Enforcement Committee.

- A. The Mayor or the Mayor's designee shall convene a Code Enforcement Committee consisting of the Chief of Police or his designee, the Zoning Enforcement Officer, and the Director of Health, the Fire Marshals of three fire districts, Director of Public Works and Chief Building Official, or their designees, the General Counsel and two City residents appointed by the Mayor with the consent of the Common Council. The Mayor shall assign any City staff deemed appropriate to assist the Committee. The Code Enforcement Committee shall hold regular monthly meetings to bring forth issues and violations of building, housing, fire, health, zoning and all other codes, ordinances and regulations pertaining to dwellings, buildings and vacant property located within the City. The Code Enforcement Committee shall make recommendations to any enforcement authority responsible for obtaining compliance with laws, codes, ordinances and regulations pertaining to any condition affecting real property. The purpose of the Code Enforcement Committee shall be to coordinate the efforts of the various code enforcement officials. Action by the Committee shall not supplant or replace enforcement by the various departments. [Amended 5-2-2013 by Ord. No. 11-13].
- B. The Code Enforcement Committee will submit an annual budget request and may submit supplemental funding requests to the Common Council, through the Finance and Government Operations Commission.
- C. Any member of the Code Enforcement Committee who has had warnings, citations, infractions or orders issued under his authority against any owner, occupant or operator of a property found to be in violation of this article or any other law, regulation or code involving the property may bring the matter to the Code Enforcement Committee for abatement. The Code

Enforcement Committee, upon a finding that the owner, occupant or operator has either not appealed or has exhausted his right of appeal, and upon a further finding that the condition or conditions are detrimental to the public health, safety, or welfare, or are depressing the property values of property within the neighborhood may vote to approve a plan of abatement. Any such plan may be carried out by either City personnel or private contractor, and shall be monitored by the Code Enforcement Committee for compliance with its approved plan. The Code Enforcement Committee also may approve payment of the costs of such abatement from the Code Enforcement Committee's budgeted funds.

- D. At least 10 days prior to any work being performed under an abatement plan approved by the Code Enforcement Committee, a notice of abatement shall be issued to the owner of the real estate. The expenses incurred for the inspection, repair, demolition, removal or other disposition of any real estate in order to secure such real estate or to make it safe and sanitary under any provision of the Connecticut General Statutes or pursuant to building, health, housing or safety codes or regulations of the City of Middletown shall be recovered from the owner of the real estate for which such expenses were incurred. Within 30 days after such work has ceased, the City shall file a certificate of such lien pursuant to Section 49-73b of the Connecticut General Statutes and give notice to the owner of the real estate in the same manner as provided in Section 49-34 of the Connecticut General Statutes.

* * *

§ 120-27
Appeals, expenses incurred and foreclosure.

- A. Any order issued pursuant to the authority of the Chief Building Official, Director of Health, Zoning/Wetlands Officer, or the Fire Marshal, arising out of any violations of this article, may be appealed as provided pursuant to the law granting the authority for said order. Any citation for violation of this article by any person authorized pursuant to Chapter 120 of the Middletown Code of Ordinances to issue citations hereunder shall be preceded by a written warning providing notice of the specific violation to be corrected. Persons issued citations under this article shall have the right to appeal pursuant to Chapter 120 of the Middletown Code of Ordinances and Section 7-152c of the Connecticut General Statutes.
- B. The Code Enforcement Committee shall provide an accounting of any unpaid fines and costs the City has incurred in carrying out any plan of abatement and provide an accounting to the General Counsel, with a request that any unpaid fine or expenses incurred by the City for the inspection, repair, demolition, removal or other disposition of any real estate in order to secure such real estate or to make it safe and sanitary be reduced to a judgment that can be recorded and enforced. [Amended 5-2-2013 by Ord. No. 11-13]
- C. The Code Enforcement Committee may recommend to the General Counsel that the premises be taken by foreclosure. [Amended 5-2-2013 by Ord. No. 11-13]

Councilman Carl R. Chisem reads and moves for approval amending portions of Chapter 120. Building Construction to add to Section 120-20 Blighted Premises; to delete the current Section 120-24 and renumber Section 120-25 to 120-24 and add language regarding curbside pickup of trash; to renumber Section 120-26 to 120-25 and to amend language regarding the creation or maintenance of blighted premises prohibited; to renumber Section 120-27 to 120-26; and to renumber Section 120-28 to 120-27 and to amend the language regarding expenses incurred and foreclosure.. Councilman Robert P. Santangelo seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

I. Approving the Recreation and Community Service Department Youth Grants for fiscal year 2015 - 2016 with programs as listed in the resolution totaling \$53,600.
(Approved)

Resolution No. 77-15
File Name recreationyuuouthgrantfy15-16
BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Recreation and Community Services Department requests that \$53,600 of the \$62,500 Youth Grant (FY 15/16) is allocated as follows.

Agencies	Amount
Ahern Whalen	\$5,699
Middletown Youth Soccer, Inc.	\$8,116
Middletown Youth Lacrosse	\$8,779
Middletown Tiger Youth Football & Cheerleading	\$12,997
Prof. Gallitto Girls Basketball	\$2,972
Prof. Gallitto Boys Basketball	\$5,135
Little League	\$9,902

Fiscal Impact: No impact on FY 15/16 Budget.

Councilwoman Mary A. Bartolotta reads and moves for approval the Recreation and Community Service Department Youth Grants for fiscal year 2015 - 2016 with programs as listed in the resolution totaling \$53,600.. Councilman Thomas J. Serra seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

- J. Approving language to the Recreation and Community Services Department "Rental Policies and Procedures & Form B" document to include language for the Senior and community Center to allow for rental and reservations of the Center to ensure no one organization will permanently occupy the space on a routine basis.

This item was removed at the beginning of the meeting.

- K. Approving the donation from the Middletown Transit District a used van for the Recreation and Community Services Department at no cost.
(Approved)

Resolution No. 78-15

File Name recreationusedvanw015

WHEREAS, the Recreation and Community Services Department has the opportunity to receive a used van from Middletown Transit District; and

WHEREAS, the van will be donated to the Recreation and Community Services Department, City of Middletown, at no charge; and

WHEREAS, the van currently only needs six new tires.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That the City of Middletown approves accepting the donation of a used van from Middletown Transit District.

Fiscal Impact: Cost of new tires, 6 @ \$250 General Fund

Councilman Gerald E. Daley reads and moves for approval the donation from the Middletown Transit District a used van for the Recreation and Community Services Department at no cost except the purchase of six new tires.. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

- L. Approving authorizing the Mayor to sign and submit an application to the State of Connecticut for a local Capital Improvement Program grant to install LED lighting around the parking area at Columbus Park with the LoCIP amount will be net an Eversource Rebate from the total cost of \$3,960 and approving establishing a new Capital Improvement Line Item entitled Columbus Park LED Lighting Upgrade in the amount of \$3,960.

(Approved)

Resolution No. 79-15

File Name pwlocipcolumbusparklighting

WHEREAS, the lights on the boardwalk at Harbor Park were replaced with LED lighting; and

WHEREAS, the LED lights have positively illuminated the area and have provided a return on investment of approximately \$3500 per year due to more efficient lighting and timing management; and

WHEREAS, there are six additional lights around the parking area on the Columbus Park side of the boathouse that should be replaced for adequate illumination while providing additional energy efficiency and electricity savings of approximately \$808 per year; and

WHEREAS, the cost to replace these lights has been quoted at \$3,960; and

WHEREAS, due to the conversion to LED lights, Eversource will reimburse the City approximately 36 percent of project cost, which is estimated to be \$1,425, but the percentage reimbursement may vary; and

WHEREAS, the remaining balance is LOCIP eligible; and

WHEREAS, a grant confirmation request in the amount of \$1,425, the estimated amount to be reimbursed by Eversource, is required so that the vendor can be fully paid upon installation.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MIDDLETOWN: That Mayor Daniel T. Drew be authorized to sign and submit an application to the State of Connecticut for a grant from the Local Capital Improvement Program (LoCIP) to install LED lighting around the parking area at Columbus Park with the understanding that the LOCIP application amount will be net the Eversource rebate; and

BE IT FURTHER RESOLVED: That a new Capital Improvement line item Columbus Park LED Lighting Upgrade in the amount of \$3,960 be established to begin the project with the understanding that only the expenditures not covered under the rebate portion be charged to this line.

Councilman Thomas J. Serra reads and moves for approval authorizing the Mayor to sign and submit an application to the State of Connecticut for a local Capital Improvement Program grant to install LED lighting around the parking area at Columbus Park with the LoCIP amount will be net an Eversource Rebate from the total cost of \$3,960 and approving establishing a new Capital Improvement Line Item entitled Columbus Park LED Lighting Upgrade in the amount of \$3,960.. Councilman Grady L. Faulkner, Jr. seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

M. Approving authorizing the Mayor or Superintendent to negotiate and enter into one or more Equipment Leases for the purpose of acquiring property generally described as Honeywell equipment and as described specifically in the equipment Leases in the form set forth in the resolution to the governing body.

(Approved)

Resolution No. 80-15

File Name

WHEREAS, the City of Middletown, through the Middletown Board of Education, (the "Lessee") is a political subdivision of the State of Connecticut (the "State") and is duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, pursuant to applicable law, the governing body of the Lessee ("Governing Body") is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee; and

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements ("Equipment Leases") in the principal amount not exceeding \$3,102,164, with interest accrued through July 24, 2015, ("Principal Amount") for the purpose of acquiring the property generally described as Honeywell equipment having been subject to Master State/Local Lease/Purchase Agreements ("Property"), and to be described more specifically in the Equipment Leases, is appropriate and necessary to the functions and operations of the Lessee; and

WHEREAS, Municipal Leasing Consultants, LLC ("Lessor") is expected to act as the Lessor under the Equipment Leases.

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases ("Lease Purchase Proceeds") for such expenditures and such expenditures are not expected to exceed the Principal Amount.

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The Lessee hereby determines that it has critically evaluated the financing alternatives and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

Section 2. The Lessee is hereby authorized to acquire and install the Property (the "Project") and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. Either one of the Mayor or Superintendent (each an "Authorized Representative") acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Lease and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose permitted under the laws governing the Lessee.

Section 8. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 9. As to each Equipment Lease, the Lessee reasonably anticipates to issue not more than \$10,000,000 of tax-exempt obligations (other than "private activity bonds" which are not "qualified 501(c)(3) bonds") during the calendar year in which each

such Equipment Lease is issued and hereby designates each Equipment Lease as a qualified tax-exempt obligation for purposes of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code").

Section 10. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 11. This Resolution shall take effect immediately upon its adoption and approval.

Councilman Grady L. Faulkner, Jr. reads and moves for approval authorizing the Mayor or Superintendent to negotiate and enter into one or more Equipment Leases for the purpose of acquiring property generally described as Honeywell equipment and as described specifically in the equipment Leases in the form set forth in the resolution to the governing body.. Councilwoman Hope P. Kasper seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

11. Mayor's Appointments. (Approved)

Mayor reads the appointments and asks for a motion to approve.

Records Management Commission:

Appointment of Linda Bettencourt.
Appointment of Brig Smith
Appointment of Eldon Bailey

Cable Advisory:

Reappointment of Daniel Russo to July 31, 2017.
Reappointment of Lisa Santangelo to July 31, 2017.
Reappointment of John Schilke to July 31, 2017.

Contract Compliance:

Reappointment of Amedeo Negrelli to June 30, 2017.

Middletown Preservation and Design Review Board:

Reappointment of Steven Kovach to July 31, 2018.
Reappointment of Brian Kronenberger to July 31, 2018.

Transit District:

Reappointment of Steward Kristianson to November 30, 2015.
Reappointment of Brian Dudek to November 30, 2015.

Recreation and Community Services:

Reappointment of William Wasch to December 31, 2017.

Citizen's Advisory Committee:

Appointment of James Tulin to August 31, 2019.

Councilman Thomas J. Serra reads and moves for approval Mayor's Appointments. Councilman Grady L. Faulkner, Jr. seconds the motion.

Councilwoman Russo Driska asks about the Records Management Appointments; I spoke to the Town Clerk and she did not know she was being appointed to this; I know that it is by ordinance, but what are the instructions you have given to this committee. The Chair responds the duties and obligations are laid out in ordinance and resolution. Councilwoman Driska states they are but who will Chair this and how will it get started. The Chair states they will follow the process in the ordinance. Councilwoman Driska sits on IT and this was brought up; it was put into place several years ago and we have not done anything with it and it is a concern for the It Commission because we don't have anything in place to protect our electronic records. It is critical that we do move this forward. Councilman Faulkner asks if it is the same as the Disaster Planning Committee or is it different. Councilwoman Driska responds. Councilman Faulkner states it is different. Councilman Giuliano states he is commenting on the appointment of Dan Russo and Lisa Santangelo on the Cable Advisory Committee. I have sent he letter and circulated it; I know that Dan works hard on P and Z and Lisa I am amazed she gets to everything she does, but they have not participated on this for a couple of years and he thinks if there is a commitment to do the work, he doesn't see them being appointed for another two years. Their involvement in city affairs is beyond question, but this one seems suffering and in good conscious, I would vote no for these appointments only if possible. The Chair states he is not sure there is a way to do that. He would caution the council relying on the testimony of one person who identified himself in a partisan capacity before this body. Councilman Serra states if in fact it was true, he believes there is in the ordinances things about attendance and that needs to be addressed and they need to be made aware to see why and there could be good reasons why it occurred.

The chair calls for the vote. It is 8 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L.

Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilwoman Sandra Russo Driska; 3 nay votes by Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilman David Bauer and 1 absent by Councilman James Streeto. The Chair states the matter carried with 8 affirmative votes, 3 in opposition and 1 absent.

12. Contingency Fund Transfers (None)

13. Meeting adjourned.

Councilman Thomas J. Serra moves to adjourn the meeting and Councilwoman Hope P. Kasper seconds the motion. The chair calls for the vote. It is 11 aye votes by Councilman Thomas J. Serra, Councilwoman Mary A. Bartolotta, Councilwoman Hope P. Kasper, Councilman Robert P. Santangelo, Councilman Grady L. Faulkner, Jr., Councilman Carl R. Chisem, Councilman Gerald E. Daley, Councilman Sebastian N. Giuliano, Councilwoman Deborah A. Kleckowski, Councilwoman Sandra Russo Driska, Councilman David Bauer; 0 nay votes by no one and 1 absent by Councilman James Streeto. The Chair states the matter carried with 11 affirmative votes, 0 in opposition and 1 absent.

The Chair states the meeting is adjourned at 8:54 p.m.

ATTEST:

MARIE O. NORWOOD
COMMON COUNCIL CLERK